

FEDERAL REGISTER



VOLUME 9

NUMBER 161

Washington, Saturday, August 12, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-1, Amdt. 4]

PART 1401—LIVESTOCK AND MEATS

REGULATIONS AFFECTING SLAUGHTERERS

War Food Order No. 75-1, as amended (8 F.R. 11327, 9 F.R. 4319), § 1410.17, is further amended as follows:

1. By deleting (q) (2) (iv) therefrom;
2. By deleting (u) and substituting therefor the following:

(u) *Violations.* The Director may, in accordance with the applicable procedure, by suspension order, prohibit any person who violates any provision of this order from receiving, making deliveries of, or using meat or meat products. Upon a determination by the Director that any slaughterer, or any person who custom slaughters, has violated any provision of this order, the Director may, in accordance with the applicable procedure, suspend or revoke the license or permit of such person. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 1 a. m., e. w. t., August 10, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119)

Issued this 10th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-11987; Filed, August 10, 1944;
8:11 p. m.]

[WFO 75-2, Amdt. 12]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75-2, § 1410.18, as amended (9 F.R. 8769, 9077), is further amended as follows:

1. By amending (a) (5) thereof to read as follows:

(5) "Army style beef" means (i) dressed steer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade, weighing between 400 pounds and 1,100 pounds, or (ii) dressed heifer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade, weighing between 350 pounds and 650 pounds, or (iii) dressed steer or heifer carcasses of "U. S. Utility" grade weighing between 350 and 550 pounds.

2. By amending (b) (1) (i) thereof to read as follows:

(i) 45 percent of the conversion weight of each week's production of beef graded "U. S. Choice" and "U. S. Good" and 45 percent of the conversion weight of each week's production of beef graded "U. S. Commercial", obtained from steers and heifers whose carcasses meet Army specifications for frozen boneless beef.

3. By amending (b) (1) (ii) thereof to read as follows:

(ii) In the form of carcass or frozen boneless beef meeting Army specifications, 45 percent of the conversion weight of each week's production of beef graded "U. S. Utility" produced from steers and heifers whose carcasses meet Army weight specifications for U. S. Utility grade beef; and

4. By striking the figure "85" wherever it appears in (b) (2) and inserting in lieu thereof the figure "90".

This order shall become effective at 12:01 a. m., e. w. t., August 13, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75-2, as amended, prior to said date, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 10th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-11986; Filed, August 10, 1944; 3:1 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 319]

FIRST PILOTS

MODIFICATION OF REQUIREMENTS AS TO CERTAIN AIRPORTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of August, 1944.

The following Special Civil Air Regulation is made and promulgated to become effective August 8, 1944:

When an airport is approved as a scheduled stop on an established route, any first pilot listed in the air carrier operating certificate who has served regularly as such on the route involved for the immediately preceding 6-month period, may pilot aircraft into and out of such airport under conditions specified by the Administrator upon furnishing evidence that he is thoroughly familiar with the form and condition of the airport and with the location and nature of any obstructions in the vicinity.

This regulation shall terminate on October 8, 1944.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-12023; Filed, August 11, 1944;
10:17 a.m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Order 19]

PART 602—GENERAL ORDERS AND DIRECTIVES

COKE

To correlate additional supplies of by-product coke with supplies of other solid fuels, it is necessary to obtain information as to particular retail dealers who have received or will receive tonnages of coke in excess of tonnages received during the period April 1, 1943 to March 31, 1944. Accordingly, it is ordered:

Sec.

602.590 Definitions.

602.591 Information to be furnished by producers and wholesalers of coke.

602.592 Records.

602.593 Audit and inspection.

602.594 Approval of the Bureau of the Budget.

602.595 Violations.

AUTHORITY: §§ 602.590 to 602.595, inclusive, issued under E.O. 9332; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; WFB Directive 33, as amended, 9 F.R. 64, 4580.

§ 602.590 Definitions. (a) "Coke" means coke which is produced from bituminous coal in a by-product coke oven, except coke which is produced in a coal-gas retort.

(b) "Producer" means any person engaged in the business of manufacturing coke.

(c) "Wholesaler" means any producer to the extent that he distributes coke to equipped retail dealers and any person who receives or purchases coke for shipment, distribution or resale to any equipped retail dealer or any other wholesaler.

(d) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer or wholesaler) to the extent that he acts in the capacity of a supplier, shipper or seller of coke in any transaction except a wholesale transaction involving a shipment, sale, or sale and delivery, of broken bulk coke physically handled in a truck, wagon, or other less than carload

facility without regard to quantity or frequency of delivery.

(e) "Equipped retail dealer" means any retail dealer who has both storage facilities and truck sales.

(f) "Unequipped retail dealer" means any retail dealer except an equipped retail dealer.

(g) "Retail sales" means the tonnage of coke intended for domestic use distributed by a producer or wholesaler (i) as a retail dealer direct to consumers and (ii) to unequipped retail dealers.

(h) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons.

(i) "Domestic use" means the use of coke for space heating, domestic hot water or domestic cooking, except to the extent that coke is used for space heating incidental to an industrial use.

(j) "Limitation area" means the District of Columbia, the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota and Missouri.

§ 602.591 *Information to be furnished by producers and wholesalers of coke.* (a) Each producer and wholesaler who makes retail sales in the limitation area or who ships coke intended for domestic use to equipped retail dealers located in the limitation area shall, on or before August 20, 1944, report in writing to Solid Fuels Administration for War, Washington 25, D. C., on forms to be furnished by it, information as to such retail sales and separate information as to such shipments of coke if:

(i) Retail sales or shipments to any equipped retail dealer in the limitation area during the period April 1 to June 30, 1944, inclusive, exceed the total retail sales or the total shipments to any such retail dealer during the corresponding period in 1943;

(ii) The producer or wholesaler expects that such retail sales or shipments to any equipped retail dealer located in the limitation area will exceed during the period July 1, 1944 to March 31, 1945, inclusive, the total of such retail sales or the total shipments to any such equipped retail dealer made during the period July 1, 1943 to March 31, 1944, inclusive.

(b) The report required by paragraph (a) of this section shall set forth, among other things, the total tonnage of retail sales made during the period April 1, 1943 to March 31, 1944, inclusive; the total tonnage of such sales made during the period April 1, 1944 to June 30, 1944, inclusive; the name and address of each equipped retail dealer in the limitation area with regard to whom a report is required; the total tonnage of coke shipped to each such equipped retail dealer during the period April 1, 1943 to March 31, 1944, inclusive; the total tonnages shipped to each such equipped retail dealer during the period April 1, 1944 to June 30, 1944, inclusive; an estimate of the total tonnage of retail sales and the total tonnage expected to be

shipped to each such equipped retail dealer in each calendar quarter during the period July 1, 1944 to March 31, 1945, inclusive.

(c) If, in any calendar quarter beginning July 1, 1944, retail sales exceed by 100 tons or more the amount estimated to be sold as indicated on the report required by paragraph (a) of this section; or, if actual shipments made to a particular equipped retail dealer exceed by 100 tons or more the amount estimated to be shipped to such dealer as indicated on the report required by paragraph (a) of this section, then the producer or wholesaler making such sales or such shipments shall file an amended report on or before October 20, 1944, showing separately retail sales and such shipments made during the calendar quarter prior to October 1, 1944; and on or before January 20, 1945, showing separately retail sales and such shipments made during the calendar quarter October 1, 1944 to December 31, 1944, inclusive; and on or before April 20, 1945, showing separately retail sales and such shipments made during the calendar quarter January 1, to March 31, 1945, inclusive.

§ 602.592 *Records.* Each person to whom any portion of this order applies shall keep and preserve for a period of two years, accurate and complete records of all of the details of deliveries or shipments of coke required to be reported by this order.

§ 602.593 *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted for inspection, copy and audit by any duly authorized representative of SFAW.

§ 602.594 *Approval of the Bureau of the Budget.* The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.595 *Violations.* Any person who violates any provision of this order or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the Solid Fuels Administration for War, may be prohibited from delivering and receiving any material under priority control, or SFAW may take any appropriate action, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C., sec. 80 (any person found guilty of violating the statute may be fined not more than \$10,000 or imprisoned for not more than ten years or both); or under the Second War Powers Act (50 U.S.C. 633 (any person found guilty of violating the statute may be fined not more than \$10,000 or imprisoned for not more than ten years or both)).

This order shall become effective on the date of issuance.

Issued this 10th day of August 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 44-12033; Filed August 11, 1944;
10:35 a.m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, as Amended Aug. 9, 1944]

PRIORITIES ACTION BY THE FOREIGN ECONOMIC ADMINISTRATION

§ 903.39 Directive 27—(a) Rating of orders of less than \$500. The Foreign Economic Administration may assign preference ratings up to and including AA-3 to the delivery, for export, of any item of material having a value of less than \$500 except:

(1) Any material as to which there is in effect, at the time of assignment, a Program Determination of the Requirements Committee or approved Decision of a Division Requirements Committee of the War Production Board of the kind referred to in paragraph (b);

(2) Any material as to which an applicable regulation or order of the War Production Board provides that ratings assigned on Form WPB-541 (formerly PD-1A) are not effective;

(3) Accessories, spare parts, or complementary or other related equipment for any principal item being exported if the principal item has a value of \$500 or more;

(4) A quantity of any item of material which appears to the Foreign Economic Administration to have been subdivided for the purpose of coming within this paragraph; or

(5) Any material which the Program Vice Chairman may except from this paragraph in order to prevent inconsistency with domestic rating patterns.

In assigning preference ratings under this paragraph, the Foreign Economic Administration shall follow such processing instructions as the Program Vice Chairman may prescribe from time to time.

(b) *Rating of programmed material.* In addition, the Foreign Economic Administration may assign preference ratings to the delivery of material for export to the extent authorized by a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board, as transmitted to the Foreign Economic Administration by the War Production Board.

(c) *Form of assignment of ratings.* The Foreign Economic Administration shall assign ratings under this directive by endorsement of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision: "Under authority of the War Production Board, delivery of the mate-

rial referred to herein is assigned a preference rating of _____." Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license (including release certificate where used), or on the Lend-Lease requisition or commitment letter to the procuring agency in the case of material being procured by or on behalf of the Foreign Economic Administration, or on other appropriate instrument approved for this purpose by the War Production Board.

(d) *General provisions.* (1) The Foreign Economic Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of the Foreign Economic Administration may determine.

(2) The Foreign Economic Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Foreign Economic Administration for inspection by a representative of the War Production Board at any time.

(e) *Revocation of Priorities Directive No. 3.* Priorities Directive No. 3 is hereby revoked effective January 1, 1944.

(f) *Effective date.* This directive shall take effect January 1, 1944.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 9th day of August 1944.

S. W. ANDERSON,
Program Vice Chairman.

INTERPRETATION 1

EFFECT ON OUTSTANDING RATINGS

Priorities Directive 3 was revoked by Directive 27 effective January 1, 1944. At the same time Order M-148 was also revoked. Nevertheless, ratings assigned by the Foreign Economic Administration (or its predecessors, the Board of Economic Warfare and the Office of Economic Warfare) before that date may still be applied and extended. § 944.4 (a) of Priorities Regulation 1, regarding the effect of revocation of a preference rating order, does not apply since the ratings were not assigned by those instruments but by the Foreign Economic Administration or its predecessors under specific authorizations from the War Production Board, which remain in effect. The method of application and extension is now provided by Priorities Regulation 3. (Issued Feb. 25, 1944.)

[F. R. Doc. 44-11915; Filed, August 9, 1944;
4:19 p. m.]

PART 905—SPECIFICATIONS

[Directive 29, as Amended Aug. 11, 1944]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRESS GRADE LUMBER AND ITS FASTENINGS FOR BUILDINGS

Pursuant to the authority vested in me by Executive Orders No. 9024 of January 16, 1942, No. 9040 of January 24, 1942, and

No. 9125 of April 7, 1942, and pursuant to the policy stated in the Joint Directive of the War Production Board and the War and Navy Departments dated May 20, 1942, and the Army and Navy Munitions Board "List of Prohibited Items for Construction Work", dated April 1, 1942, as revised and supplemented, the following policy is prescribed (1) for the War Production Board and for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, National Housing Agency, and (2) for all other Departments and Agencies in respect to war construction and the financing of war construction.

§ 905.3 National Emergency specifications for design, fabrication and erection of stress grade lumber and its fastenings for buildings. (a) "National Emergency Specifications for the Design, Fabrication and Erections of Stress Grade Lumber and its Fastenings for Buildings" issued by the War Production Board on August 9, 1943, as supplemented and corrected July 20, 1944 shall apply to and shall govern the design, fabrication and erection of all buildings in which stress grades of lumber are used, and which are constructed by, or the construction of which is financed by or must be approved by any of such departments or agencies. Such emergency specifications shall be used only in the design, fabrication and erection of buildings to the extent stress grades of lumber are used and the contracts for which are placed on and after November 1, 1943, but such departments and agencies are empowered to put this directive into immediate effect wherever possible. As used herein, "stress grade" lumber means lumber which has been graded for strength by a recognized lumber grading or inspection bureau or agency.

(b) Nothing herein shall prevent the Army, Navy, or Maritime Commission from specifying and using higher stresses than those set forth in such emergency specifications for any buildings which are under their control.

(c) With respect to any such contracts already placed by any of said departments or agencies, or entered into prior to November 1, 1943, the department or agency concerned shall review the contract promptly and shall change to said emergency specifications unless such change will result in a substantial delay in the war effort.

(d) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Applications for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 29.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amend. March 24, 1943, 8 F.R. 3666, 3696)

Issued this 11th day of August 1944.

S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-12045; Filed, August 11, 1944;
11:34 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 230 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-437, Revocation]

IGOE MILLS

Suspension Order No. S-437 was issued against Igoe Mills, 40 Dewey Street, New Britain, Connecticut, effective December 9, 1943. An appeal was filed with the Chief Compliance Commissioner. The case was reviewed by the Chief Compliance Commissioner, as a result of which on January 12, 1944, the Chief Compliance Commissioner dismissed the appeal.

Upon further consideration of the appeal by the Chief Compliance Commissioner, he directed that the suspension order be revoked forthwith.

In view of the foregoing: *It is hereby ordered, That § 1010.437, Suspension Order No. S-437 be revoked.*

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11913; Filed, August 9, 1944;
4:19 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-601]

SIMO REALTY COMPANY, INC. AND THE RITZI

Simo Realty Company, Inc., as owner, and Thelma Mogul Barsky, doing business as The Ritzi, as tenant, both of 3632 North Broad Street, Philadelphia, Pennsylvania, began construction on the remodeling of a store at 46-48 East Main Street, Norristown, Pennsylvania, on or about April 3, 1944, without authorization from the War Production Board, and continued construction until ordered to stop, at which time \$1,500 had already been expended.

Both owner and tenant were aware of War Production Board restrictions on construction and doing this construction without authorization constituted a willful violation of Conservation Order L-41, which has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.601 Suspension Order No. S-601. (a) Neither Thelma Mogul Barsky, doing business as The Ritzi, her successors or assigns, nor Simo Realty Company, Inc., nor its successors or assigns, nor any other person, shall do any construction on the premises at 46-48 East Main Street, Norristown, Pennsylvania, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Thelma Mogul Barsky, doing business as The Ritzi, her successors or assigns, nor Simo Realty Company, Inc., nor its successors or as-

sins, nor any other person, from any restriction, prohibition, or provision contained in any order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11991; Filed, August 10, 1944;
4:39 p. m.]

PART 1157¹—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule II, as Amended Aug. 11, 1944]

PORTABLE JAW AND ROLL CRUSHERS

§ 1157.22¹ Schedule II to Limitation Order L-217—(a) Definitions. For the purposes of this Schedule II:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable jaw and portable roll crushers or portable crushing plants as herein defined.

(3) "Portable jaw crusher" means a machine commonly known as a portable jaw crusher of either the lever (Blake) or overhead eccentric type designed for producing construction aggregates by reducing non-metallic minerals.

(4) "Portable roll crusher" means a machine commonly known as a portable roll crusher designed for producing construction aggregates by reducing non-metallic minerals.

(5) "Portable crushing plant" means any crushing plant incorporating either or both portable jaw or portable roll crushers.

(b) *Limitations on production of portable jaw crushers.* (1) No producer shall use or put into process any materials for the manufacture of portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(2) No producer shall assemble portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(3) Subject to paragraphs (b) (4) and (b) (5), producers are permitted to manufacture and assemble only one size of either the lever (Blake) type or of the overhead eccentric type portable jaw crusher in each of the following groups:

(i) **Group A, 9" x 14" to 11" x 18" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 16" may produce that size only in Group A.

(ii) **Group B, 9" x 18" to 11" x 22" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 20" may produce that size only in Group B.

(iii) **Group C, 9" x 21" to 11" x 26" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 24" may produce that size only in Group C.

(iv) **Group D, 9" x 32" to 11" x 40" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 36" may produce that size only in Group D.

(v) **Group E, 13" x 22" to 17" x 26" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 24" may produce that size only in Group E.

(vi) **Group F, 13" x 32" to 17" x 40" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 36" may produce that size only in Group F.

(vii) **Group G, 18" x 32" to 22" x 40" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 20" x 36" may produce that size only in Group G.

(viii) **Group H, 22" x 32" to 26" x 40" inclusive.** A producer having the necessary equipment to produce a portable jaw crusher in the size of 24" x 36" may produce that size only in Group H.

(ix) **Group I.** Each producer may manufacture one size portable jaw crusher larger than 26" x 40" provided it is at least 4" larger in one or both jaw dimensions.

(4) If a producer elects to manufacture a permitted product which falls within the description of more than one of the above groups, such producer may not manufacture other types or sizes in those groups.

(5) For the purposes of this paragraph (b) the size of portable jaw crushers shall be determined as follows:

(i) By a horizontal measurement of the receiving opening from the apex of the corrugation on the stationary jaw to the base of the opposite corrugation on the movable jaw while the eccentric is at the maximum open position.

(ii) By measuring the inside distance between keyplates (cheek plates) when both of the jaws and both of the keyplates are in place.

(iii) Portable jaw crushers in Groups A, B, C and D (described in paragraph (b) (3) hereof) shall be measured when the discharge opening at the bottom is 1½" between the apex of the corrugation on the stationary jaw and the base of the oposite corrugation on the movable jaw, and

(iv) Portable jaw crushers in Groups E, F, G, H and I (described in paragraph (b) (3) hereof) shall be measured when such discharge opening at the bottom is 3 inches.

(6) [Deleted Aug. 11, 1944.]

(7) [Deleted Aug. 11, 1944.]

(c) *Limitation on production of portable roll crushers.* (1) No producer shall use or put into process any materials for the manufacture of portable roll crushers (to be used either inde-

¹ Formerly Part 3115, § 3115.3.

pendently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(2) No producer shall assemble portable roll crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(3) Subject to paragraph (c) (4), producers are permitted to manufacture and assemble portable roll crushers in the following sizes only:

- (i) 16" x 16"
- (ii) 24" x 16"
- (iii) 30" x 18"
- (iv) 40" x 22"
- (v) 54" x 24"

(4) For the purpose of this paragraph (c) the size of portable roll crushers shall be determined by measuring the outside diameter and width of the shells when installed in a new unused portable roll crusher.

(5) [Deleted Aug. 11, 1944.]

(6) [Revoked February 5, 1943.]

(d) [Deleted Aug. 11, 1944.]

(e) Not applicable to maintenance and repair parts. Nothing in this order shall restrict a producer from continuing to manufacture and sell maintenance and repair parts for any and all sizes of portable jaw and portable roll crushers, provided that such manufacture and sale of parts is confined solely to meet the demands for repair parts for maintenance.

(f) Limitation Order L-192. Nothing in this schedule shall be deemed to permit any contravention of the provisions of Limitation Order L-192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12046; Filed, August 11, 1944;
11:37 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Schedule V, as
Amended Aug. 11, 1944]

PORTABLE CONSTRUCTION CONCRETE MIXERS

§ 1157.25 Schedule V to Limitation Order L-217—(a) Definitions. For the purposes of this Schedule V:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable construction concrete mixers.

(3) "Portable construction concrete mixer" means any concrete mixer manufactured to mix concrete in batches of 3½ cubic feet to 14 cubic feet inclusive.

(4) "Repair part" means any part manufactured for use in the repair of portable construction concrete mixers.

(5) "Running gear" means the mounting for portable construction concrete mixers such as truck wheels or skids.

(6) "Accessories and attachments" means any equipment regularly sold by

a producer to be used in conjunction with the operation of a portable construction concrete mixer, but shall not include power units.

(b) Limitation on production. (1) No producer shall put into process any materials for the manufacture of portable construction concrete mixers, running gear, or accessories and attachments which do not conform to the sizes and types established in paragraphs (c), (d) and (e) hereof.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) Limitation on sizes and types of portable construction concrete mixers. Producers are limited to the following sizes and types of portable construction concrete mixers:

(1) 3½ cubic feet, tilting drum type.

(2) 7 cubic feet, two opening drum type.

(3) 10 cubic feet, two opening drum type.

(4) 14 cubic feet, two opening drum type.

(d) Limitation on sizes and types of running gear. Producers are limited to the following sizes and types of running gear:

(1) Side discharge on two-wheel mounting for 3½ cubic feet size of portable construction concrete mixer.

(2) End discharge on two wheel mounting for 7 cubic feet and 10 cubic feet sizes of portable construction concrete mixers (except to fill orders placed by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration).

(3) End discharge on four wheel mounting for 14 cubic feet size of portable construction concrete mixer (except to fill orders placed by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration).

(4) Skid mounting for 7, 10 and 14 cubic feet sizes of portable construction concrete mixers.

(e) Limitation on sizes and types of accessories and attachments. Producers are limited to the following sizes and types of accessories and attachments:

(1) Power loading skip for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(2) Skip shaker for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(3) Water measuring tank for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(4) Batch meter for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(5) Auxiliary water pump for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(6) Gated batch-hopper for the 14 cubic feet portable construction concrete mixer only.

(7) Auxiliary hoist for the 14 cubic feet portable construction concrete mixer only.

(f) Limitation on painting. No producer shall use striping or trimming on portable construction concrete mixers, nor use more than one color finish coat paint on any one mixer and its repair parts if painted.

(g) Limitation on mudguards and fenders. No producer shall put into process any metal in the manufacture of mudguards or fenders for portable construction concrete mixers except for supporting brackets, nor use any metal for streamlining except when required for structural strength or for safety.

(h) [Deleted Aug. 11, 1944.]

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12047; Filed, August 11, 1944;
11:35 a. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule VI, as Amended Aug. 11, 1944]

TRUCK MIXER-AGITATORS

§ 1157.26 Schedule VI to Limitation Order L-217—(a) Definitions. For the purposes of this Schedule VI:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of truck mixer-agitators.

(3) "Truck mixer-agitator" means any mixer body suitable for truck mounting ordinarily used for mixing or agitating concrete in transit, where the batched materials are or may be loaded by gravity into the mixer drum.

(4) "Repair part" means any part manufactured for use in the repair of truck mixer-agitators.

(b) Limitation on production. (1) No producer shall put into process any materials for the manufacture of truck mixer-agitators which do not conform to the sizes and types established in paragraph (c) hereof.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) Limitation on sizes and types. Producers are limited to the following sizes of truck mixer-agitators, and no more than one type (either the inclined axis rotating drum or open body type) is permitted for each such size:

(1) 2 cubic yard mixer (3 cubic yard agitator).

(2) 4 cubic yard mixer (6 cubic yard agitator).

(d) Limitation on painting. No producer shall use striping or trimming on truck mixer-agitators, nor, except for sign lettering, use more than one color

finish coat paint on any one truck mixer-agitator and its repair parts if painted.

- (e) [Deleted Mar. 17, 1944]
- (f) [Deleted Aug. 11, 1944.]

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12048; Filed, August 11, 1944;
11:35 a. m.]

PART 1157¹—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule VII, as Amended Aug. 11, 1944]

PUMPS

§ 1157.27¹ Schedule VII to Limitation Order L-217—(a) Definitions. For the purposes of this Schedule VII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of pumps as herein defined.

(3) "Pumps" means gasoline or electric motor driven pumps, skid or trailer mounted, ordinarily used by contractors for dewatering and supply, of the types listed below:

- (i) Centrifugal self-priming pumps;
- (ii) Diaphragm pumps;
- (iii) Triplex piston road pumps; and
- (iv) Plunger pumps.

This definition does not include Underwriter's approved fire-fighting pumps, farm type pumps and industrial type pumps.

(4) "Repair part" means any part manufactured for use in the repair of pumps as herein defined.

(5) "The military" means the Army, Navy, Maritime Commission, War Shipping Administration and the following persons when acting as the authorized procurement agents for the Navy:

- (i) Fuller, Merritt, Chapman and Scott Corporation.
- (ii) M. T. Reed Contracting Company.
- (iii) Siems Drake Puget Sound.
- (iv) Pacific Naval Air Bases.

(6) "New" when applied to pumps, means any pump which has not been sold by a producer or a distributor to a person acquiring it for use, regardless of whether such pump may have been leased to any person by such producer or distributor.

- (7) [Deleted Mar. 27, 1944]
- (8) [Deleted Mar. 27, 1944]

(b) Exemptions. Nothing in this schedule shall be deemed to prevent producers from filling orders for pumps placed by or for the account of the military.

(c) Limitation on production and assembly of pumps. (1) No producer shall put into process any materials for the manufacture of pumps which do not conform to the sizes, types, models and designs established in paragraph (d) hereof.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(d) Limitation on sizes and types. Producers are limited to the following sizes, types and models of pumps, and no more than one design is permitted for each such type, size and model:

(1) *Self-priming centrifugal pumps* (iron or aluminum body construction only):

(i) 1½"—3,000 G. P. H. minimum capacity (mounted on skids only).

(ii) 2"—10,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iii) 3"—20,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iv) 4"—40,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(v) 6"—90,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(vi) 8"—125,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(vii) 10"—180,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(2) *Diaphragm pumps:*

(i) 3" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(ii) 4" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(3) *Triplex road pumps:*

(i) 125 G. P. M. at 500 pounds pressure model mounted on four wheel running gear.

(4) *Plunger pumps:*

(i) No plunger pumps are to be manufactured for dewatering purposes.

(e) Limitation on painting. No producer shall use striping or trimming on pumps, nor use more than one color finish coat paint on any one pump and its repair parts if painted.

(f) Limitations on accessories. No producer shall manufacture, or receive from his supplier for resale, any of the following items:

- (1) [Deleted Aug. 11, 1944.]

(2) Spring axle mountings for new pumps;

(3) Bearings, except plain or agricultural pin type bearings, for axle wheels on new pumps;

(4) Vacuum or pressure gauges, except for resale as special equipment;

- (5) [Deleted Mar. 27, 1944]

- (6) [Deleted Mar. 27, 1944]

- (g) [Deleted Aug. 11, 1944]

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12049; Filed, August 11, 1944;
11:35 a. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule IX, as Amended Aug. 11, 1944]

TANK CAR HEATERS AND PUMPING BOOSTERS OR CIRCULATORS

§ 1157.29 Schedule IX to Limitation Order L-217—(a) Definitions. For the purpose of this Schedule IX:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of tank car heaters or pumping boosters or circulators.

(3) "Tank car heater" means a mechanical device consisting of a steam boiler (with adjustable low pressure oil burner and a type of closed circuit return condensation system), designed for raising the temperature of bituminous materials in railroad tank cars to permit proper temperature applications thereof.

(4) "Pumping booster," otherwise known as a "circulator," means a mechanical device consisting of a direct fired heating unit with asphalt pump and engine assembly equipment and adjustable low pressure oil burner system, designed for the heating, circulating, and pumping of bituminous materials to a distributor or other unit.

(5) "Repair part" means any part manufactured for use in the repair of tank car heaters or pumping boosters or circulators.

(6) "The military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(b) Limitation on production. (1) No producer shall put into process any materials for the manufacture of tank car heaters or pumping boosters or circulators which do not conform to the sizes and types established in paragraphs (c) and (d) hereof.

- (2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) Limitation on sizes and types of tank car heaters. Producers are limited to one model in each of the following sizes and types of tank car heaters:

(1) Two car size of 26-36 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(2) Three car size of 40-55 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(d) Limitations on sizes and types of pumping boosters or circulators. Producers are limited to one model of pumping booster or circulator, which shall be of a size capable of raising the temperature of a 10,000 gallon tank car 50 degrees per hour when pumping and unloading, at 175 gallons per minute, bituminous materials of a viscosity less than

¹ Formerly Part 3115, § 3115.8.

penetration asphalt; this size may be two or four wheel trailer mounted or truck or skid mounted.

(e) [Deleted May 15, 1944]

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12050; Filed, August 11, 1944;
11:35 a. m.]

PART 1157¹—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule X as Amended Aug. 11, 1944]

BITUMINOUS PAVING FINISHERS

§ 1157.30¹ Schedule X to Limitation Order L-217.—(a) *Definitions.* For the purpose of this Schedule X:

(1) "Persons" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous paving finishers.

(3) "Bituminous paving finishers" means a self-propelled, hopper type machine, designed for spreading, levelling, and screed-finishing either hot or cold mix bituminous materials for road surfacing.

(4) "Repair part" means any part manufactured for use in the repair of bituminous paving finishers.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of bituminous paving finishers, except in one model of the 10-foot size, with cut-off and extension attachments.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12051; Filed, August 11, 1944;
11:35 a. m.]

PART 1157¹—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule XII as Amended Aug. 11, 1944]

BITUMINOUS HEATING KETTLES

§ 1157.32¹ Schedule XII to Limitation Order L-217.—(a) *Definitions.* For the purpose of this Schedule XII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous heating kettles.

(3) "Bituminous heating kettle" means a wheel, skid or leg mounted device, consisting of a steel container with burner heating equipment with or without flue system, or with other heating equipment, together with miscellaneous operation attachments, designed for the heating of tars, asphalts and like bituminous materials, and the applying thereof.

(4) [Deleted, Oct. 19, 1943]

(5) "Repair part" means any part manufactured for use in the repair of bituminous heating kettles.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of bituminous heating kettles which do not conform to the sizes established in paragraph (c) hereof.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to two models in each of the following sizes of bituminous heating kettles:

(1) 30 gallons capacity.

(2) 80 gallons capacity.

(3) 110 gallons capacity.

(4) 165 gallons capacity.

(5) 500 gallons capacity. This size may be manufactured only for use by a person engaged in the Petroleum Industry as defined in Preference Rating Order P-98-b.

(d) *Conservation of materials.* No producer shall incorporate any of the following items into bituminous heating kettles:

More than one draw off cock

Mercury type thermometers (except hand inspector pencil type)

Power spray attachments

More than one burner shut off valve

(e) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

(f) *Exemptions.* Nothing in paragraphs (b) (1), (c) or (d) of this Schedule XII shall be deemed to restrict the production of bituminous heating kettles for use by the Army, Navy, Maritime Commission, War Shipping Administration or the military forces of any country entitled to receive deliveries pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12052; Filed, August 11, 1944;
11:35 a. m.]

¹ Formerly Part 3115, § 3115.11.

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule XIII, as Amended Aug. 11, 1944]

BITUMINOUS MATERIALS MAINTENANCE UNITS

§ 1157.33 Schedule XIII to Limitation Order L-217.—(a) *Definitions.* For the purposes of this Schedule XIII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous materials maintenance units or pumps.

(3) "Bituminous materials maintenance unit", otherwise known as a sprayer, utility, or tank unit, means a wheel or truck mounted mechanical unit, consisting of a tank and pump, one or more spray attachments, and with or without tank heating system and spray-bar, designed for spraying light bituminous materials.

(4) "Pump" means a rotary, positive displacement type pump, designed for use on bituminous materials maintenance units.

(5) "The Military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(6) "Repair part" means any part manufactured for use in the repair of bituminous materials maintenance units or pumps.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of bituminous materials maintenance units or pumps which do not conform to the sizes and types established in paragraphs (c) and (d) hereof.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of bituminous materials maintenance units.* Producers are limited to one model in each of the following sizes of bituminous materials maintenance units:

(1) 120 gallon capacity, two wheel mounted.

(2) 300 gallon capacity, two wheel mounted.

(3) 600 gallon capacity, two wheel mounted.

(d) *Limitation on types of pumps.* Producers are limited to pumps of the following specifications only:

The rated capacity of the pump shall be not more than 100 gallons per minute.

(e) [Deleted May 15, 1944]

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12053; Filed, August 11, 1944;
11:35 a. m.]

PART 1157¹—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule XIV as Amended Aug. 11, 1944]

BITUMINOUS PATCH PLANTS

§ 1157.34¹ Schedule XIV to Limitation Order L-217—(a) Definitions. For the purpose of this Schedule XIV:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous patch plants.

(3) "Bituminous patch plants" means maintenance plants of any of the following types:

(i) Drum type, in which the aggregate and bitumens are mixed in a power driven revolving drum;

(ii) Cold mix portable or stationary type plant, consisting of a horizontal pug mill mixer, side elevating charging skip, side discharge gates, and equipped with pump, power unit, and heater (optional);

(iii) Hot or cold mix patch portable type, consisting of an aggregate hopper and measuring device, feeder or weighing device, pug mill, bitumen kettle, metering pump, optional heaters and dryers, and with or without boiler (depending upon the type of mix), with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit; or

(iv) Continuous portable type, consisting of a calibrated gate measuring device, pug mill, asphalt metering pump, optional bitumen heaters and dryers, with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit.

(4) "Repair part" means any part manufactured for use in the repair of bituminous patch plants.

(b) *Limitations on production.* (1) No producer shall put into process any materials for the manufacture of bituminous patch plants which do not conform to the sizes established in paragraph (c) hereof.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to one model in each of the following sizes of bituminous patch plants:

(1) 10 tons per hour capacity.

(2) One size only between 15 and 30 tons per hour capacity.

(d) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12054; Filed, August 11, 1944;
11:36 a. m.]PART 1157¹—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule XV as Amended Aug. 11, 1944]

ASPHALT SURFACE HEATERS

§ 1157.35¹ Schedule XV to Limitation Order L-217—(a) Definitions. For the purpose of this Schedule XV:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of asphalt surface heaters.

(3) "Asphalt surface heater" means a machine designed for heating sheet asphalt and for softening old bituminous surfaces for the purpose of levelling and patching.

(4) "Repair part" means any part manufactured for use in the repair of asphalt surface heaters.

(b) *Limitations on production of surface heaters.* (1) No producer shall put into process any materials for the manufacture of asphalt surface heaters except in one model of the 4' x 6' size (24 sq. ft. area).

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12055; Filed, August 11, 1944;
11:36 a. m.]

(b) *Inventory limitations.* No person who, in the course of his business, purchases and incorporates sprocket chain or sprocket chain wheels into machinery or equipment manufactured in whole or in part by him, or who purchases such chain or wheels for resale as such, shall accept delivery thereof if his total inventory will, after acceptance, exceed what he reasonably expects to use or sell during the succeeding 45 days. No person may deliver sprocket chain or sprocket chain wheels if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45 day limitation.

(c) *Report required before accepting delivery of sprocket chain in excess of certain quantities.* (1) No person, except a distributor assigned a preference rating on Form WPB-547 (Formerly PD-1X), may accept delivery of more than the following quantities of sprocket chain during September 1944, or during any subsequent calendar month, unless he has first reported by letter to the War Production Board on or before the 20th day of the preceding calendar month the facts relating thereto set forth in Appendix A to this order:

Steel detachable type sprocket chain	\$500
Malleable iron detachable type sprocket chain	500
Sprocket chain other than detachable type	1,000

Any such person who has ordered or who may order sprocket chain for delivery during September 1944, or any subsequent calendar month, in quantities in excess of those stated above, is forbidden to accept delivery thereof (even though it is a rated order or the purchaser has been authorized to accept delivery under any other order, regulation or certificate of the War Production Board) if he has not filed with the War Production Board the report required by this paragraph. A person who instructs his supplier to reduce, postpone or cancel shipment to the extent necessary to bring his monthly receipt of sprocket chain within the quantities herein specified, and does not accept delivery in excess of these quantities need not file the report. If a supplier knows or believes that a person who should file a report has not done so, he may not make deliveries of sprocket chain to such person. In the case of export business, the supplier or his customer may file the report.

(2) Until otherwise notified by the War Production Board, a person who has filed the report may receive sprocket chain during the calendar month covered

¹ Formerly Part 3115, § 3115.15.

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by his report and may place orders or leave in effect orders previously placed for delivery in future months, to the extent permitted by any other applicable order, regulation or certificate of the War Production Board.

(3) The War Production Board may issue directions to any person requiring him to reduce, postpone or cancel his unfilled orders for delivery of sprocket chain during the calendar month covered by his report or any future calendar month, when it finds (i) that the deliveries which he has requested appear to be in excess of the minimum practicable amounts required to fulfill his authorized production schedule or in excess of the inventory permitted by paragraph (b) or (ii) that some adjustment in his receipts of sprocket chain is necessary in order to distribute the available production thereof equitably between him and other persons to assure more uniform fulfillment of approved programs. A copy of such direction will be sent by the War Production Board to the supplier.

NOTE: Paragraphs (d), (e), (f) and (g) formerly (c), (d), (e) and (f) redesignated Aug. 11, 1944.

(d) *Exemptions.* The provisions of paragraphs (b) and (c) do not apply to (1) Army maintenance depots, Navy yards, bases, stations and depots (2) minimum production runs; or (3) automotive replacement parts, as defined in Order L-158, as amended.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(f) *Appeals.* Any producer or purchaser of sprocket chain or sprocket chain wheels who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(g) *Communications.* All appeals and other communications concerning this order should be addressed to the General Industrial Equipment Division, War Production Board, Washington 25, D. C., Ref: L-193-a.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1940.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

¹ See Interpretation 7 (as amended) of Priorities Regulation 1.

APPENDIX A

NOTE: Appendix A added Aug. 11, 1944.

The following information is required in the letter to be addressed to the War Production Board in accordance with paragraph (c) (1) of this Order L-193-a:

List separately each type of chain to be received, giving description, quantity (in feet if possible), approximate total value, preference rating and allotment symbol, required delivery date, and supplier's name and address. (If supplier is not the manufacturer, give manufacturer's name if known.) If shipments can be divided, list latest practicable delivery dates for each quantity. One letter may cover shipments in several months.

In addition to the foregoing the following information is required:

(1) *From persons who will use sprocket chain as capital equipment:* (a) Describe the use of the chain, including operating conditions.

(b) Describe the products to be produced or service rendered, and its importance to the war effort.

(2) *From persons who will use sprocket chain for repair of their own equipment:* (a) Describe the use of the chain, and its importance in your operations.

(b) State the expected life of your present chain.

(3) *From manufacturers who will incorporate sprocket chain in their own products or who will sell sprocket chain as repair parts:* (a) Identify the product in which the chain will be used.

(b)¹ State production schedule for the months during which the chain involved in the purchase orders will be used, or at your option, if your schedule is already filed with the War Production Board, so state that fact.

(c)¹ State quantity of chain required per unit.

(d) State percentage of quantities listed which will be sold as repair parts.

[F. R. Doc. 44-12039; Filed, August 11, 1944;
11:34 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-185, as Amended
Aug. 11, 1944]

WATER HEATERS

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of water heaters for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.51 General Limitation Order L-185—(a) Definitions. (1) "Direct fired water heater" means any device for the direct transference of heat produced by electricity or by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a hot water supply system. The term includes, but is not limited to, coils, side-arm water heaters, bucket-a-day stoves, laundry stoves (with cored water sections), dome type water heaters, steel hot water supply heaters, or service water tank heaters having not more than two cored water

¹ A manufacturer who has filed WPB Form 3823 (Farm Machinery Manufacturers Report of Requirements) need not answer (3) (b) and (3) (c) of Appendix A.

sections, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, electric water heaters, and solar water heaters. The term does not include any low pressure cast iron or steel boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(2) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, submerged type water heaters or any indirect water heater (including tanks) commonly referred to as a storage water heater consisting of a heating element installed in a hot water storage tank for the purpose of heating and storing hot water for any use, and any indirect water heater consisting of a coil or a nest of tubes installed in a shell or pressure vessel having a diameter 12" or less (if other than circular in cross section and internal cross sectional area 113 sq. in. or less) and designed for the purpose of supplying hot water to a hot water supply system or a hot water space heating system. The term does not include any storage tank, the manufacture of which is governed by Limitation Order L-199, even though used in conjunction with any indirect water heater. It is not intended by the foregoing definition to include any product which is controlled by Limitation Order L-123.

(3) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(4) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(5) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam, through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(6) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication, or assembly of any direct fired or indirect water heater, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts not including tanks;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) For tank spuds or tappings;

(4) For coils and tubular units built with copper tubing of $1\frac{1}{2}$ " outside diameter or less, in indirect water heaters only. However, the shells, steam heads, tube plates and other cast parts of indirect water heaters shall be of ferrous metal, or non-metallic materials except that terminal outlets and spacer plates may be of a copper base alloy in which no primary tin or copper is used, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. specification B-145-42-T.

The exceptions to the restrictions in the use of copper, stainless steel, or monel metal contained in paragraphs (b) (2) and (b) (4) thereof do not apply to the production of indirect water heaters designed for hot water space heating systems.

(5) For coils and terminal outlets for direct fired side-arm water heaters, except that any copper base alloy used in the production of terminal outlets may contain no primary tin or copper, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. Specification B-145-42-T.

(6) For current carrying parts and heating elements for electric water heaters.

(c) *Use of copper, stainless steel, and monel metal in the installation of repair and replacement parts.* (1) No person shall in any repair or replacement use or install parts containing in the aggregate more than two pounds of copper or copper base alloy, stainless steel, or monel metal, if the weight of the copper, copper base alloy, stainless steel, or monel metal so used or installed exceeds by more than one pound the weight of copper, copper base alloy, stainless steel, or monel metal replaced. The restrictions in this subparagraph do not apply to the replacement of ferrous heating elements for direct or indirect water heaters.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Copper Order M-9.

(d) *Manufacture of metal jackets.* No person shall manufacture or fabricate any metal jacket except: (1) From materials in his inventory on May 8, 1944; (2) From materials obtained from frozen, idle and excess inventories; (3) From allotted materials; or (4) From aluminum the use of which for making metal jackets is specifically authorized by the War Production Board pursuant to Order M-1-i.

(e) *Restrictions on production—(1) Water heaters except electric.* No person shall manufacture or assemble more units of direct fired (other than electric) or indirect water heaters than his quota, which for each calendar year, shall be

determined by the percentage indicated on Schedule A of his 1941 unit production of the same classification of water heaters. However, regardless of the number of water heaters he may have produced before July 1, 1944, his quota for the period from that date through December 31, 1944, shall be $\frac{1}{2}$ the quota for each calendar year. If additional production is necessary to fulfill the approved War Production Board program, any person may request authorization to exceed his quota by addressing a letter to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., stating his proposed additional production in units per quarter, and the War Production Board may authorize additional production on Form GA-1850. Where the applicant will need controlled materials in order to produce the additional equipment, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials.

(2) *Electric water heaters.* (i) No person shall manufacture or assemble any electric water heaters except to the extent authorized by the War Production Board on Form GA-1850. The War Production Board will authorize limited production so that the aggregate production of electric water heaters for each calendar year will not exceed 37 per cent of the aggregate production of the industry from July 1, 1940 through June 30, 1941, except that for the period from July 1, 1944, through December 31, 1944, the aggregate production shall not exceed $18\frac{1}{2}$ per cent. Production will not be authorized in any plant where such production or labor requirement therefor will interfere with war production in that plant or in any other plant located in the same area.

(ii) A person wishing to make electric water heaters (other than those excepted by paragraph (f)), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-185. This letter should state the proposed production in units per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials.

(iii) No person may manufacture or assemble electric water heaters in more than three sizes (based on water storage capacity) nor in more than one model in each size, but a change in the number or design of heating elements shall not constitute a change in size or model. Each person shall report in a letter the size and model designation of the electric water heaters he intends to produce. Each person shall thereafter produce only those sizes and models so reported unless written authorization is received

from the War Production Board to produce any other models or sizes. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Exceptions to manufacturing restrictions.* The restrictions of this order do not apply to the production of water heaters or parts required by the Army, Navy, Maritime Commission, or War Shipping Administration, or by rules and regulations promulgated by the Coast Guard for merchant vessels, for use in ships, boats, planes, laundries, kitchens, hospitals, bakeries, or advance bases, or to fill orders authorized by the Maritime Commission on Form WPB-646. Water heaters produced under this paragraph (f) shall not be charged against the production quotas set forth in paragraphs (e) (1) and (e) (2).

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 with the Field Office of the War Production Board, for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All communications concerning this order, unless otherwise directed should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-185.

(i) *Reports.* Manufacturers of water heaters shall report on or before the tenth day of each month on Form WPB-3717, following the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PERMITTED PERCENTAGES OF 1941
UNIT PRODUCTION

A. Direct fired water heaters:	Percent
1. Underfired water heaters.....	80
2. Coal and wood fired water heaters..	100
3. Side-arm heaters.....	70
4. All others.....	50
B. Indirect water heaters.....	57

[F. R. Doc. 44-12041; Filed, August 11, 1944;
11:34 a. m.]

FEDERAL REGISTER, Saturday, August 12, 1944

PART 3284—BUILDING MATERIALS

[General Limitation Order L-228 as Amended
Aug. 11, 1944]

ASPHALT AND TARRED ROOFING PRODUCTS AND
ASPHALT SHINGLES

The fulfillment of requirements for the defense of the United States has created a situation which will result in a shortage in the supply of materials and facilities used in the manufacture of asphalt and tarred roofing products and asphalt shingles for defense, for private account and for export, unless raw material, transportation facilities and manpower are conserved through the simplification and reductions of types of these products and shingles; and for those purposes the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.76¹ General Limitation Order L-228—(a) Definitions. For the purpose of this order:

(1) "Asphalt and tarred roofing products" means dry felt made of organic fiber impregnated with bitumen, designed and constructed to be applied to the exterior surface of a building or structure for the purpose of weather-proofing such surface. Asphalt and tarred roofing products may be coated with a more viscous bitumen than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to crushed rock, slate or quartz. Asphalt and tarred roofing products shall not include the following: Combination flashing material, pipe covering, felt or corrugated asphalt panel or siding board, building or sheathing papers, prefabricated weatherproofed sheathing, prefabricated weather proofed roof board, and 40" plasterers' felt.

(2) "Asphalt shingles" means dry felt manufactured from organic fiber impregnated with asphalt, designed and shaped for application in the form of shingles to the exterior surface of a building or structure for the purpose of weather-proofing such surface. Asphalt shingles may be coated with a more viscous asphalt than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to crushed rock, slate or quartz.

(b) General instructions. No person shall manufacture, fabricate or process any asphalt and tarred roofing products or asphalt shingles except:

(1) To conform to the schedules of types, grades, weights, styles, finished sizes, or qualities listed on Schedule A hereto attached, or as permitted by the terms of said Schedule A; or

(2) When designed and constructed to be physically incorporated into railroad cars, motor vehicles, shoes, or products other than asphalt and tarred roofing products.

(c) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.

(e) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) Appeals. Any appeal from the provisions of this order shall be made by filing Form WPB-1477 or a letter, in triplicate, with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall refer to the provision appealed from and state fully the grounds for the appeal.

(h) Communications. Reports to be filed and all other communications, except appeals, concerning this order shall be addressed to War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L-228.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Where a person is limited, by the restrictions under any table of this schedule, to a specified number (usually one) of styles, designs, grades, qualities, widths, sizes, textures or finishes of a specified type of a product, he may not make any change from the styles, designs, grades, qualities, widths, sizes, textures or finishes which he is making on August 11, 1944, unless he is granted permission by the War Production Board after filing an appeal under paragraph (g) of this order.

Where the term "finished weight" is used in this schedule and a tolerance is allowed, the term means the weight which a person must use as his standard in manufac-

uring the particular item. The tolerance is permitted only to allow for uncontrollable manufacturing variations. In other words, the manufacturer must, in setting up his production facilities, aim at the finished weight specified in this order. However, if he cannot adhere rigidly to the specified weight because of uncontrollable manufacturing variations, a variation within the allowable tolerance will not be a violation of the order.

[Types, sizes and forms of asphalt and tarred roofing products and asphalt shingles]

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
SMOOTH SURFACE ROLL ROOFING			
Type 1—Grade A	65	108	58
Type 2—Grade A	55	108	48
Type 3—Grade B	45	108	34
Type 4—Grade B or C	35	108	21

Other restrictions. Finished weight to be shipping weight (including packaging materials and fixtures) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style, grade, texture, finish and width may be manufactured for each type in any one manufacturing plant. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and may be furnished with or without fixtures. Valley, ridge, starter and repair strips of any length and not exceeding 24" in width may be manufactured. Type 4 may be made in Grade B or Grade C, but one such grade only may be manufactured in any one manufacturing plant.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 1—No selvage edge	90	108	48
Type 2—2" selvage edge	90	108	48
Type 3—4" selvage edge	94	114	48

Other restrictions. Finished weight to be shipping weight (including packaging materials and fixtures) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style and quality may be manufactured for each type in any one manufacturing plant. Rolls may be made in both 32" and 36" widths. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and may be furnished with or without fixtures. Texture, color and finish not limited. Valley, ridge, starter and repair strips of any length and not exceeding 24" in width may be manufactured only from Type 1 Mineral Surfaced Roll Roofing.

NOTE: Following table amended Aug. 11, 1944.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 4—17" or 19" selvage edge—uncoated back and selvage	55	108	48
Type 5—17" or 19" selvage edge—coated back and/or selvage	55 to 61, inclusive	108	48

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area

¹ Formerly Part 3139, § 3139.1.

herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Type 4 and type 5 may both be produced by any person. However, each person desiring to make type 5 must select one finished weight between 55 and 61 pounds, inclusive, and must thereafter use that figure as his finished weight. Under each type, only one style, quality and width of selvage edge may be manufactured in any one manufacturing plant. Texture and color not limited. Packages to contain sufficient material to cover 50 sq. ft. of roof area.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 5—Pattern Edge Style.....	105	128	48

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one edge-style, quality and width of pattern edge may be manufactured in any one manufacturing plant. Texture, color and finish not limited. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SIDINGS			
Type 1—Roll Form.....	105	111	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. May be manufactured in one stone style and one brick style, but both styles to be manufactured in only one dry felt weight and quality in any one manufacturing plant. Color and finish not limited. Accessories for completing application, such as, corner pieces and soldier courses may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SIDINGS			
Type 2—Shingle Form.....	224	240	48

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any shipping weight less than maximum is permitted. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Manufacture restricted to one design and quality in any one manufacturing plant. No design shall be manufactured which requires a head-lap in excess of one inch to obtain a desired pattern. Texture, color and finish not limited. Accessories for completing application such as corner pieces and soldier courses may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 1—Asphalt Saturated Felt.....	15	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area

herein designated, subject to tolerance of plus or minus 1 lb. per 100 sq. ft. May be manufactured in two qualities and packaged in any or all of the following size rolls (by content): 216 sq. ft., 324 sq. ft. and 432 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 2—Asphalt Saturated Felt.....	30	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 2 lbs. per 100 sq. ft. Shall be manufactured in one quality and packaged in rolls of a size containing 216 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 3—Tarred Saturated Felt.....	15	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 1 lb. per 100 sq. ft. May be manufactured in two qualities and packaged in any or all of the following size rolls (by content): 216 sq. ft., 324 sq. ft. and 432 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 4—Tarred Saturated Felt.....	30	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 2 pounds per 100 sq. ft. Shall be manufactured in one quality and packaged in rolls of a size containing 216 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 5—Saturated and Coated Felt (for cold application).	60	108	Optional.
Type 6—Base Sheet.....	60	108	Optional.

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any finished weight less than maximum is permitted. One style, quality, and texture may be manufactured for each type in any one manufacturing plant. Finish not limited. May be made in both 32" and 36" widths. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and to be furnished without fixtures.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 7—Cap Sheet.....	68	216	21

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style, quality, texture, finish and width may be manufactured in any one manufacturing plant. Shall be manufactured in rolls of a size containing 216 sq. ft. and shall be coated completely on both sides and must be entirely surfaced on one side with talc or other dusting material.

NOTE: Following table amended Aug. 11, 1944.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SHINGLES			
Type 1-A—Cut-out Strip Styles (12" wide) double slanted and double coated.....	210	240	48
Type 1-B—Cut-out Strip Styles (12" wide) other than double slanted and double coated.....	215	240	48

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Either type 1-A or type 1-B, but not both, may be manufactured in any one manufacturing plant. The type selected may be manufactured in only one design and quality in any one manufacturing plant. Texture and color not limited. Accessories for completing application such as hip and ridge shingles, starter, valley and ridge strips may be manufactured. Starter, valley and ridge strips of any length may be made in widths not exceeding 24". Hip and ridge shingles in size not to exceed 10" x 13" nor to contain less than 48, but not to exceed 52, dry felt weight shall be manufactured in only one size, design, quality and weight in any one manufacturing plant.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SHINGLES			
Type 2—Hexagonal or other Strip Style.....	170	200	48
Type 3—Heavy Weight—Individual Re-roofer.....	165	175	48
Type 4—Standard Weight—Individual Re-roofer.....	140	160	48

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any finished weight less than maximum is permitted. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Shall be manufactured in one design and quality for each type in any one manufacturing plant. Texture, color and finish not limited. Accessories for completing application such as hip and ridge shingles, starter, valley and ridge strips of any length may be made in widths not exceeding 24". Hip and ridge shingles in size not to exceed 10" x 13" nor to contain less than 48, but not to exceed 52, dry felt weight shall be manufactured in one size, design, quality and weight in any one manufacturing plant.

[F. R. Doc. 44-12040; Filed, August 11, 1944;
11:36 a.m.]

FEDERAL REGISTER, Saturday, August 12, 1944

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Conservation Order M-73, Direction 2]

WOOLENS FOR CHILDREN'S SNOW SUITS, LEGGING SETS AND SIMILAR GARMENTS

The following direction is issued pursuant to Conservation Order M-73:

1. No person shall sell or deliver any snow suit cloths except upon a rated order.

2. For the purpose of this direction:

"Snow suit cloths" means: woven meltons and melton type and fleece fabrics of all widths weighing 19 oz. to 25.9 oz. per yard on a 54 inch width basis; and similar fabrics (of equivalent weights) suitable for children's snow suits, legging sets, ski suits, ski pants and similar garments, including all fabrics of the kind reported by each woolen fabric manufacturer for the second calendar quarter of 1944 on Form WPB-1420 on line 37.0 entitled "Melton, snow and ski suit cloths and similar fabrics weighing up to 25.9 oz." It includes only woven fabrics containing 25% or more by weight of wool.

"Wool" includes noils, waste, tanners wool waste, reprocessed or reused wool, as well as "wool" as defined in order M-73.

3. This direction does not apply to the sale and delivery of pieces of fabric shorter than 5 yards.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12042; Filed, August 11, 1944;
11:34 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 1, as Amended Aug. 11, 1944]

CHANGE IN PERCENTAGE OF MANUFACTURERS' BENDS TO BE SET ASIDE

The following amended direction is issued pursuant to General Conservation Order M-310:

The percentage of manufacturers' bends to be set aside under paragraph (e) (2) is changed to 20% beginning with August 1944.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12043; Filed, August 11, 1944;
11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 1]

PRIORITIES ASSISTANCE FOR COTTON YARN FOR THE PRODUCTION OF CLOSURE TAPES—3D QUARTER 1944

The following direction is issued pursuant to Conservation Order M-317:

Manufacturers of closure tapes may apply on Form WPB-2842 for priorities assistance to obtain cotton yarns to be used for the manufacture of button and buttonhole tape, hook and eye tape, snap fastener tape and slide fastener tape. Applications must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington

25, D. C., not later than August 16, 1944. Priorities assistance will be granted only for 30/2 and finer combed cotton yarns, and 16/2 to 26/2 carded cotton yarns. Yarns for which priorities assistance is given must be purchased for delivery not later than September 30, 1944. No person whose application is granted may purchase for delivery during the balance of the 3d calendar quarter of 1944, or during this period accept delivery of, cotton yarns to be used for the production of closure tapes except upon a rated order.

Applications will be granted pro rata based on the amount of yarn consumed in the production of closure tapes by each applicant in the 12 months ending June 30, 1941.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12044; Filed, August 11, 1944;
11:34 a. m.]

production, the War Production Board may change the directions from time to time.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11990; Filed, August 10, 1944;
4:38 p. m.]

Chapter XI—Office of Price Administration

PART 1316—COTTON TEXTILES

[RPS 35, Amdt. 22]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 is amended in the following respects:

The text following the headnote of item (v) in Table VI is designated (a) and a new subdivision (b) is added to read as follows:

(b) In lieu of the maximum price set forth in this Table VI, the maximum price for any printed fabric made from woven-striped ticking purchased by Riverdale Manufacturing Company and put into refinishing process between March 15 and May 22, 1944 shall be determined by the following formula.

Riverdale Manufacturing Company shall: (i) select from the same general classification and price range as the pattern being priced under this paragraph, the pattern of the most nearly comparable construction for which a maximum price is established under § 1400.164 (b) (1) or (2) of Maximum Price Regulation No. 39; (ii) divided its maximum price for that pattern by the sum of its supplier's maximum price for the grey goods and the maximum price of the finishing operation which would be applicable under Maximum Price Regulation No. 128; and (iii) multiply the percentage so obtained by the sum of 15½ cents and the maximum price for refinishing of the ticking.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12065; Filed, August 11, 1944;
11:42 a. m.]

PART 1336—RADIO, X-RAY, AND COMMUNICATION APPARATUS

[RPS 83, Revocation]

RADIO RECEIVERS AND PHONOGRAFS

A statement of the considerations involved in the issuance of this order of revocation has been issued simultaneously.

*Copies may be obtained from the Office of Price Administration.

¹7 F.R. 5243; 8 F.R. 1963, 5306.

ously herewith and filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is hereby ordered*, That Revised Price Schedule No. 83—Radio Receivers and Phonographs, be revoked.

This order shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12071; Filed, August 11, 1944;
11:45 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 115]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 120 is amended in the following respect:

Section 1340.219 is amended to read as follows:

§ 1340.219 Appendix H: Maximum prices for bituminous coal produced in District No. 8. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000

pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices for high volatile coals produced at mines with the following designated price classifications.* These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses, except as otherwise specifically provided in this paragraph (b).

The price classifications and Size Group Nos. 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications and size group numbers as set forth in the schedule of effective minimum prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and for maximum price purposes are for shipments to all destinations.

Price classifications	Prices and size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23	
Lump and block (bottom size larger than 5")	Lump and double-screened egg coals (4" and 5" lump and 8" x 4")	Lump and double-screened egg coals (3" lump and 6" x 4")	Lump and double-screened egg coals (2" lump and 8" x 3")	Double-screened egg coals (8" x 3")	Double-screened egg coals (6" x 2" and 5" x 3")	Double-screened egg coals (5" x 2" and 4" x 2")	Double-screened stove coals (3" x 2" and 3" x 1½")	Double-screened nut coals (top size larger than 1½" but not exceeding 2")	Double-screened stoker coals (top size larger than 1½" but not exceeding 2")	Mine run (screened straight, and resultants larger than 2½" x 0)	Screenings (deducted and modified)	Screenings (larger than 2" x 0, but not exceeding 2½" x 0)	Screenings (larger than 3½" x 0, but not exceeding 2" x 0)	Screenings (3½" x 0 and smaller)	Low grade reject		
A-----	435	435	435	415	395	370	350	335	325	405	305	305	305	300	285	265	
B-----	435	410	410	390	370	345	325	320	315	370	305	305	305	300	280	260	
C-----	415	395	380	370	345	325	320	315	370	300	300	300	300	280	260		
D-----	405	395	380	370	345	325	320	315	370	300	300	300	300	275	250		
E-----	395	385	375	370	340	320	315	310	370	300	295	290	290	265	245		
F-----	385	380	370	370	340	320	315	305	345	295	295	290	290	265	245		
G-----	385	375	360	360	345	335	315	310	300	345	295	295	285	280	260		
H-----	380	375	360	360	345	335	315	305	295	340	295	285	285	280	260		
J-----	375	370	360	360	345	335	315	300	290	340	295	285	285	280	245		
K-----	365	360	350	350	345	335	310	295	290	340	285	280	280	245	245		
L-----	350	350	345	345	320	310	310	295	290	340	285	280	280	240	240		
M-----	350	350	345	345	320	315	310	295	290	340	265	260	255	240	240		
N-----	350	350	345	345	320	315	310	295	290	340	265	260	255	230	230		
O-----	345	340	325	325	310	300	295	295	295	295	265	260	255	230	230		
P-----	330	325	320	320	305	300	295	295	295	295	265	260	255	205	205		
Q-----	320	325	320	320	305	300	295	295	295	295	265	260	255	205	205		
R-----	330	325	320	320	305	300	295	295	295	295	265	260	255	205	205		
S-----	330	325	320	320	305	300	295	295	295	295	265	260	255	205	205		

Maximum prices for coals produced at all mines in Subdistrict No. 6 (Southern Appalachian) shall be the above prices plus 15 cents per net ton.

(2) *Specific description of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size Group Nos.	Description
1. All single-screened block, bottom size larger than 5".	
2. All single-screened lump, bottom size larger than 3", but not exceeding 5".	All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".
3. All single-screened lump, bottom size larger than 2", but not exceeding 3".	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.
4. All double-screened coals, top size 5" and larger, and bottom size larger than 4".	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2", and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3".
5. All double-screened egg coals, top size larger than 3", but not exceeding 4".	All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.
6. All double-screened coals, top size 5" and larger, and bottom size larger than 4".	All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.
7. All double-screened egg coals, top size larger than 3", but not exceeding 4".	All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.
8. All double-screened coals, top size 5" and larger, and bottom size larger than 4".	All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.

*Copies may be obtained from the Office of Price Administration.

¹⁹ F.R. 5042, 5375, 5587.

Size Group Nos.	Description
9. All double-screened nut coals, top size larger than 1½", but not exceeding 2", and bottom size smaller than 2".	
10. All double-screened stoker coals, top size not exceeding 1½", and bottom size less than 1½".	
15. Screen run of mine, bottom size ¾" or smaller.	
16. Straight run of mine.	Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than ¾" shall be removed).
17. Straight resultant run of mine (larger than 2¾" x 0, but not exceeding 6" x 0).	Resultant run of mine larger than 6" x 0. Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than ¾" shall be removed).

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Size
Group Nos. **Description**

17.—Continued.

Altered resultant run of mine (straight resultant run of mine larger than $2\frac{3}{4}$ " x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than $\frac{3}{8}$ " shall be removed).

18. Deducted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh. Modified screenings (top size not exceeding 2" total consist containing not less than 15% $\frac{3}{8}$ " x 0 screenings).

19. Screenings larger than 2" x 0, but not exceeding $2\frac{3}{4}$ " x 0.

20. Screenings larger than $\frac{3}{8}$ " x 0, but not exceeding 2" x 0.

21. Screenings larger than $\frac{3}{8}$ " x 0, but not exceeding $\frac{3}{4}$ " x 0.

Altered screenings (top size not exceeding $2\frac{3}{4}$ " from which all of the 1" to $1\frac{1}{4}$ " top and $\frac{1}{4}$ " to $\frac{3}{8}$ " bottom coal has been removed).

22. Screenings $\frac{3}{8}$ " x 0 and smaller.

23. Low grade reject; separated at the tipple or loaded separately in the mine.

(3) *Maximum prices for shipment by truck or wagon to all destinations, for all uses (exclusive of cannel coal).*

(4) *Specific descriptions of size group numbers referred to in Subparagraph (3) of this paragraph (b).*

For high volatile coals produced at any mine in the following truck price group Nos.	Prices and size group Nos.							
	1	2	3	4	5	6	7	8
1-----	440	420	350	365	330	305	260	255
2-----	415	395	350	365	330	305	260	255
3-----	405	385	350	350	320	300	260	255
4-----	390	370	340	350	320	305	260	255
5-----	380	360	335	335	320	295	260	255

¹ Double screened stoker coals in this size group number, with top size not exceeding $1\frac{1}{4}$ " and bottom size less than $1\frac{1}{4}$ " may be sold at prices no more than the maximum price for Size Group No. 10 coals for rail shipment from the same mine.

Size
Group Nos. **Description**

1. Lump coal bottom size larger than 2" and double-screened coal bottom size larger than 3".
2. Lump coal bottom size larger than $\frac{3}{4}$ " but not exceeding 2" and double-screened coal top size larger than 5" and bottom size 3" and smaller.
3. Lump coal $\frac{3}{8}$ " and smaller, includes all coal loaded by forks.
4. Double-screened coal top size larger than 3" but not exceeding 5" and bottom size 3" and smaller.
5. Double-screened stove, nut and stoker coals top size not exceeding 3" and bottom size not exceeding 2".

Size
Group Nos. **Description**

6. Mine run and resultants larger than 2" x 0.
7. Screenings, top size larger than $\frac{3}{4}$ " x 0 but not exceeding 2" x 0.
8. Screenings, top size $\frac{3}{8}$ " and smaller.

(5) *Identification by states, counties, subdistricts and seams of mines in the Price Group Numbers specified in subparagraph (3) above.* Following is a table of counties in named states; subdistricts by number and name; named seams and price group numbers. A seller of coal produced at a mine from any seam in these counties and subdistricts shall first determine the price group number applicable to the mine as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number as set forth in this subparagraph. The counties in named states; subdistricts by number and name; and seams referred to in this table are the same as those set forth in the District No. 8 schedule of minimum prices for truck shipments, as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943. The price group numbers in the table are established hereby.

	Subdistrict		Seam	Price group No.	<i>Kentucky counties</i>	Subdistrict		Seam	Price group No.
	No.	Name				No.	Name		
<i>Kentucky counties</i>									
Bell-----	6	Southern Appalachian	Dean-----	5	Perry-----	3	Hazard-----	All seams-----	5
Bell-----	6	Southern Appalachian	All other seams-----	3	Pike-----	1	Big Sandy-Elkhorn-----	All seams-----	5
Boyd-----	1	Big Sandy-Elkhorn	All seams-----	5	Pike-----	8	Williamson-----	Alma, Alma-Freeburn and Clintwood Seams-----	4
Breathitt-----	3	Hazard-----	All seams-----	5	Pike-----	8	Williamson-----	All other seams-----	5
Carter-----	1	Big Sandy-Elkhorn	All seams-----	5	Powell-----	3	Hazard-----	All seams-----	5
Clay-----	6	Southern Appalachian	All seams-----	5	Pulaski-----	6	Southern Appalachian	All seams-----	5
Clinton-----	6	Southern Appalachian	All seams-----	5	Rockcastle-----	6	Southern Appalachian	All seams-----	5
Elliott-----	1	Big Sandy-Elkhorn	All seams-----	5	Rowan-----	1	Big Sandy-Elkhorn-----	All seams-----	5
Estill-----	3	Hazard-----	All seams-----	5	Wayne-----	6	Southern Appalachian	All seams-----	5
Floyd-----	1	Big Sandy-Elkhorn	Elkhorn #3 and Millers Creek-----	2	Whitley-----	6	Southern Appalachian	Blue Gem-----	1
Floyd-----	1	Big Sandy-Elkhorn	Elkhorn (cannel) and top strata-----	5	Whitley-----	6	Southern Appalachian	Mine Index No. 213 and 308 in the Jellico Seam-----	2
Floyd-----	1	Big Sandy-Elkhorn	All other seams-----	3	Whitley-----	6	Southern Appalachian	All other mines in the Jellico Seam-----	3
Greenup-----	1	Big Sandy-Elkhorn	All seams-----	5	Whitley-----	6	Southern Appalachian	All other seams-----	5
Harlan-----	2	Harlan-----	B. C. Darby, Low Splint, High Splint, No. 5, No. 10 and Mine Index No. 3776 in the Kellieka Seam-----	1	Whitley-----	3	Hazard-----	All seams-----	5
Harlan-----	2	Harlan-----	All other seams-----	5	<i>Tennessee counties</i>				
Jackson-----	6	Southern Appalachian	All seams-----	5	Anderson-----	6	Southern Appalachian	Blue Gem and Mine Index Nos. 433, 589 and 1911 in the Pee Wee Seam-----	
Johnson-----	1	Big Sandy-Elkhorn	Elkhorn #1, Elkhorn No. 2 and Millers Creek-----	2	Anderson-----	6	Southern Appalachian	All other mines in the Pee Wee Seam and Stray Seam-----	3
Johnson-----	1	Big Sandy-Elkhorn	All other seams-----	5	Anderson-----	6	Southern Appalachian	All other seams-----	5
Knott-----	3	Hazard-----	Elkhorn #1, Elkhorn #3, Elkhorn #4 and No. 4-----	3	Anderson-----	6	Southern Appalachian	Blue Gem & Pee Wee-----	1
Knott-----	3	Hazard-----	All other seams-----	5	Campbell-----	6	Southern Appalachian	Dixie, Dixie Gem, Jellico, Jordan, Lower Pioneer, Red Ash, Rex, Rich Mountain and Splint-----	
Knox-----	6	Southern Appalachian	Blue Gem-----	1	Campbell-----	6	Southern Appalachian	All other seams-----	5
Knox-----	6	Southern Appalachian	Straight Creek Seam and Mine Index 3794 in Straight Creek and Jellico Seams-----	3	Campbell-----	6	Southern Appalachian	Mountain and Splint-----	3
Knox-----	6	Southern Appalachian	All other seams-----	5	Claiborne-----	6	Southern Appalachian	All other seams-----	5
Laurel-----	6	Southern Appalachian	All seams-----	5	Cumberland-----	6	Southern Appalachian	All seams-----	5
Lawrence-----	1	Big Sandy-Elkhorn	All seams-----	5	Fentress-----	6	Southern Appalachian	All seams-----	5
Lee-----	3	Hazard-----	All seams-----	5	Morgan-----	6	Southern Appalachian	Hooper-----	3
Leslie-----	6	Southern Appalachian	All seams-----	5	Morgan-----	6	Southern Appalachian	All seams-----	5
Letcher-----	1	Big Sandy-Elkhorn	Elkhorn #3 and Mine Index No. 188, 189, 190, 192 and 285 in Elkhorn Seam-----	2	Overton-----	6	Southern Appalachian	All seams-----	5
Letcher-----	1	Big Sandy-Elkhorn	All other mines and all other seams-----	5	Pickett-----	6	Southern Appalachian	All seams-----	5
Letcher-----	3	Hazard-----	B & C, except mine index No. 3848 in the B Seam-----	2	Putnam-----	6	Southern Appalachian	All seams-----	5
Letcher-----	3	Hazard-----	Mine Index No. 3848 and all other seams-----	5	Roane-----	6	Southern Appalachian	All seams-----	5
Lewis-----	1	Big Sandy-Elkhorn	All seams-----	5	Scott-----	6	Southern Appalachian	All seams-----	5
Madison-----	6	Southern Appalachian	All seams-----	5	<i>Virginia counties</i>				
Magoffin-----	1	Big Sandy-Elkhorn	All seams-----	5	Buchanan-----	9	Low Volatile-----	Cary, Raven, Red Ash and all other low volatile seams-----	
Martin-----	8	Williamson-----	Millers Creek-----	2	Buchanan-----	8	Williamson-----	Bull Creek and Clintwood-----	6
Martin-----	8	Williamson-----	All other seams-----	5	Buchanan-----	8	Williamson-----	All other seams-----	4
McCreary-----	6	Southern Appalachian	All seams-----	5	Buchanan-----	7	Virginia-----	Mine Index Nos. 116, 117, 446 in the Upper Banner Seam-----	5
Menifee-----	1	Big Sandy-Elkhorn	All seams-----	5	Dickenson-----				4
Morgan-----	1	Big Sandy-Elkhorn	All seams-----	5					
Owlsley-----	6	Southern Appalachian	All seams-----	5					

	Subdistrict		Seam	Price group No.	Subdistrict		Seam	Price group No.
	No.	Name			No.	Name		
Virginia counties								
Dickenson	7	Virginia	All other seams	5	Fayette	4	Kanawha	All seams
Lee	7	Virginia	Low, High Splint and No. 11	1	Kanawha	4	Kanawha	Dorothy, Perryville & Mine Index No. 157 in the Peerless Seam Mine Index No. 370 in the No. 2 Gas Seam
Lee	7	Virginia	No. 5	3				2
Lee	7	Virginia	All other seams	5				
Russell	9	Low volatile	Raven, Red Ash and all other low volatile seams	6	Kanawha	4	Kanawha	Belmont, Black Band, Lewiston, Stockton-Lewiston and Winifrede
Russell	7	Virginia	All other seams	5	Kanawha	4	Kanawha	All other seams
Scott	7	Virginia	All seams	5	Kanawha	4	Kanawha	All seams
Tazewell	9	Low Volatile	Raven and Red Ash	6	Lincoln	5	Logan	All seams
Tazewell	7	Virginia	All other seams	5	Logan	4	Kanawha	All seams
Wise	7	Virginia	High Splint, Marker and Taggart and Mine Index Nos. 519, 532 and 3960	2	Logan	5	Logan	All seams
Wise	7	Virginia	All other mines and all other seams	5	Mason	4	Kanawha	All high volatile seams
West Virginia counties	7	Virginia		2	McDowell	8	Williamson	All low volatile seams
Boone	4	Kanawha	Campbell Creek, Coalburg, Dorothy, Hernshaw, Lower Campbell Creek, No. 2 Gas, No. 5 Block & Powellton, and Mine Index No. 2570 in Cedar Grove Seam	3	McDowell	9	Low Volatile	Alma, Big Eagle, Little Eagle and Winifrede
Boone	4	Kanawha	All other seams	5	Mingo	8	Williamson	All other seams
Cabell	5	Logan	All seams	5	Nicholas	4	Kanawha	All seams
Clay	4	Kanawha	All seams	5	Putnam	4	Kanawha	All seams
				3	Raleigh	4	Kanawha	Dorothy
				5	Wayne	8	Williamson	Cedar Grove, Hernshaw, Upper Cedar Grove, Mine Index No. 291 in the Powellton Seam
				5	Wyoming	5	Logan	All other seams
				5				5
								4
								5
								4

(6) **Maximum prices in cents per net ton for high volatile coals for all railroad fuel uses.** The maximum prices for coals in Size Groups 1 to 10, inclusive, for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in subparagraph (1) above, or \$3.10 per ton, whichever is higher; and the maximum prices for coals in Size Groups 15 to 23, inclusive, for all railroad fuel uses shall be the maximum prices for the grade and size shipped as set forth in subparagraph (1) above.

Mines within Freight Origin Groups 61, 63, 64, 123, 124, 128, 150 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a 2 3/4" round hole screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of March 24, 1944, for all mines and as redetermined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a 2 3/4" round hole screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus 2 3/4 inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced: *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines' maximum prices are the same or the purchase price is

based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.219 (b) (6) of Maximum Price Regulation No. 120.

(7) **Maximum prices in cents per net ton for Cannel coal.** The maximum prices for rail, truck or wagon shipments to all destinations shall be as follows:

Cannel Coal—All Subdistricts

Lump	435
Egg	385
Chips	335
Machine cuttings	235

DISTRICT NO. 8—LOW VOLATILE COALS

(8) **Maximum prices in cents per net ton for low volatile coals for shipment to all destinations, for all uses, by all methods of transportation, except as otherwise specifically provided in this appendix.**

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Lump	430	440	405	350	340	375	345	315	310	305
Egg	390	400	395	335	320	375	345	315	310	305
Stove	390	400	395	335	320	370	315	310	305	300
Nut	375	385	375	335	320	370	315	305	300	295
Pea	375	380	370	330	295	350	300	295	290	280
Screened run of mine										
Straight run of mine										
Screenings top size larger than 3 1/4" x 0 but not exceeding 1 1/4" x 0										
Screenings top size 3 1/4" x 0 but not exceeding 3/8" x 0										
Screenings top size 3/8" x 0 and smaller										

(9) **Maximum prices in cents per net ton for low volatile coals for shipment by truck or wagon to all destinations, for all uses.**

Price Classifications	Prices and size group Nos.							
	1	2	3	4	5	6	7	8
All single-screened lump coals bottom size 3 1/4" and larger								
All double-screened egg coals top size larger than 3"								
All double-screened stove coals top size not exceeding 3"								
All double-screened nut and pea coals top size not exceeding 1 1/4"								
Screened mine run from which no coal larger than 3 1/4" x 0 has been removed and all forked coal								
Straight mine run, resultants and screenings larger than 1 1/4" x 0								
Screenings larger than 3 1/4" x 0 but not exceeding 1 1/4" x 0								
Screenings top size not exceeding 3/4"								

For coals produced at any mine in truck Price Group No. 6 435 485 430 380 410 345 285 280

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(10) Maximum prices in cents per net ton for low volatile coals for railroad locomotive fuel.

Any single-screened lump or double-screened coals—360.

Run of mine—345.

Screenings, larger than $1\frac{1}{4}$ " x 0 but not exceeding $2\frac{1}{2}$ " x 0—330.

Screenings $1\frac{1}{4}$ " x 0 and smaller—305.

(11) Maximum prices in cents per net ton for Smithing coal. The maximum prices for Smithing coal in any size group and from any low volatile mine shall not exceed 370 cents.

(12) Specific description of Size Group Numbers referred to in subparagraph (8) of this paragraph (b).

Size Group No.	Description
1.	All single-screened lump coal bottom size larger than that designated for screened run of mine (Size Group 6).
2.	All double-screened egg coal top size larger than 3".
3.	All double-screened stove coal top size larger than $1\frac{1}{4}$ " but not exceeding 3". All dedusted screenings top size larger than $1\frac{1}{4}$ " but not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh. Modified screenings top size not exceeding 2", total consist containing not less than 15% $\frac{1}{8}$ " x 0 screenings.
4.	All double-screened nut coal top size larger than $\frac{3}{4}$ " but not exceeding $\frac{1}{4}$ " and dedusted screenings top size larger than $\frac{3}{4}$ " but not exceeding $1\frac{1}{4}$ " and bottom size larger than 100 mesh but not exceeding 10 mesh.
5.	All double-screened pea coal top size not exceeding $\frac{3}{4}$ ". Dedusted screenings top size not exceeding $\frac{3}{4}$ " and bottom size larger than 100 mesh but not exceeding 10 mesh.
6.	Screened run of mine. Straight run of mine from which all or part of the screenings, top size $\frac{1}{8}$ " or $\frac{3}{4}$ " as designated, have been removed from the following low volatile price classifications:

Classifications applicable to Size Group No. 6 and maximum size of removable screenings:

A	B	C	D	E
$\frac{1}{8}$ " x 0	$\frac{3}{4}$ " x 0	$\frac{3}{8}$ " x 0	$\frac{3}{8}$ " x 0	$\frac{3}{8}$ " x 0

Or in the alternative; straight run of mine which, as shipped, shall contain at least the following percentages of screenings which shall pass through a $\frac{3}{4}$ " round-hole screen—applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 6 and minimum percentage of $\frac{3}{4}$ " x 0.

A	B	C	D	E
40%	No minimum	40%	40%	40%

7. Straight run of mine. (This Size Group No. 7 applies to low volatile coals only when at least the following percentages of screenings will pass through a $\frac{3}{4}$ " round-hole screen—applicable to the following low volatile price classifications:

Classifications applicable to Size Group No. 7 and minimum percentage of $\frac{3}{4}$ " x 0.

A	B	C	D
60%	55%	60%	60%

Where less than the minimum percentage of screenings remains, the coal shall be priced the same as Size Group No. 6

Size Group No. Description

7.—Continued.

or Size Group No. 1, depending upon the amount of screenings remaining). Altered run of mine. (Straight run of mine from which any intermediate size has been removed but no coal smaller than $\frac{3}{8}$ " shall be removed.) Resultant run of mine larger than $2\frac{3}{4}$ " x 0.

Altered resultant run of mine. (Straight resultant run of mine larger than $2\frac{3}{4}$ " x 0 from which any intermediate size has been removed but no coal smaller than $\frac{3}{8}$ " shall be removed.) Altered screenings. (Screenings with top size not exceeding $2\frac{3}{4}$ " from which all of the $1\frac{1}{4}$ " to $1\frac{1}{2}$ " top size and $\frac{1}{8}$ " to $\frac{3}{8}$ " bottom coal has been removed.) Screenings top size larger than $1\frac{1}{4}$ " x 0 but not exceeding $2\frac{3}{4}$ " x 0.

8. Screenings larger than $\frac{3}{4}$ " x 0 but not exceeding $1\frac{1}{4}$ " x 0.
9. Screenings larger than $\frac{3}{8}$ " x 0 but not exceeding $\frac{3}{4}$ " x 0.
10. Screenings $\frac{3}{8}$ " x 0 and smaller.

(13) All orders of adjustment issued prior to August 16, 1944 and adjustments computed on OPA Form No. 653-638 under § 1340.207 (a) (added by Amendment No. 74 to this regulation) shall be void as of August 16, 1944; where truck high volatile and all low volatile shipments are involved.

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12056; Filed, August 11, 1944;
11:41 a. m.]

PART 1341—CANNED AND PRESERVED FOODS
[MPR 409, Amdt. 11]

FROZEN FRUITS, BERRIES AND VEGETABLES
(1943 PACK AND AFTER)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 409 is amended in the following respects:

1. Section 13 is amended to read as follows:

SEC. 13. Position of brokers. In accordance with trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price, including allowable transportation actually paid by the seller or by the broker. In other words, the seller may not collect from the buyer any more than the maximum price, including allowable transportation so paid, less any amount which the buyer pays the broker.

The term "broker" includes a "finder".

2. Section 14 is amended to read as follows:

SEC. 14. How a figured maximum price is established and how an established maximum price may be changed. On and after the effective date of the regulation, a price figured for any item becomes established (that is, fixed) as the seller's maximum price as soon as he has either filed the price or disclosed it to any prospective customer, whether by sale, delivery, offer, or notice of any kind: Provided, That the figured price is not higher than the applicable pricing method allows. A maximum price for any item may be established only once, and it may not be changed by the seller except (a) with the written permission of the District Director of the Office of Price Administration for the area in which he is located in cases where the seller has figured his maximum price lower than the applicable pricing method allows, (b) in cases where a change in the regulation changes the seller's applicable pricing method, and (c) in cases where a packer is refiguring uniform maximum delivered prices as required by section 3 (k), and (d) in cases where a packer is establishing a uniform maximum price for an item packed by him in more than one factory, as permitted by section 3 (n). District Directors are authorized to give this permission.

If the seller wishes to disclose a price lower than the one he figured, he may establish the higher (figured) price as his maximum price at the time of the disclosure only by recording it and naming it as such, in ink on his books, before he discloses the lower price. A seller who has not figured a price for an item may deliver the item, but he may not receive payment for it until he has established

* Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 17299; 9 F.R. 97, 1596.

a maximum price in accordance with the rules of this section.

3. Section 18b is added to read as follows:

SEC. 18b. Authority of regional and district offices to audit reports. Any Regional Administrator of the Office of Price Administration, or any District Director authorized by his Regional Administrator, may (a) approve or disapprove reports filed with his office under the reporting provisions of this regulation, and (b) require any packer filing a report which does not comply with the reporting provisions to correct and resubmit his report.

4. Section 20 is added to read as follows:

SEC. 20. Maximum prices for custom packing. This section applies only to custom packing resulting in an item of frozen fruits or berries where the particular fresh fruit or berries packed were subject to maximum prices, under Maximum Price Regulation 425,² or covered by announced prices recommended by the Department of Agriculture for payment to growers, applying to the purchase by which they were acquired by the person for whom the custom packing is done.

(a) **Maximum prices.** The custom packer's maximum price for the services of custom packing an item of fruits or berries (including the furnishing of any packaging materials and additional ingredients) shall be the amount by which his maximum price for sales of the item on a no-storage basis exceeds the price paid for the particular fresh fruits or berries by the person for whom the custom packing is done, after conversion to cents per unit of the finished product. However, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product and the maximum price for the particular fruit or berry as established in Maximum Price Regulation 425, or if there is no such maximum price established by that regulation, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product and the price recommended by the Department of Agriculture for payment to growers for the particular fruit or berry.

(b) **Information required to be furnished and kept.** The person for whom the custom packing is done shall furnish the custom packer with a signed statement in writing, naming the amount paid for the fresh fruits or berries custom packed, the date on which and the name of the seller from whom they were purchased. This statement shall be furnished before the custom packing is begun, and the custom packer shall preserve the statement for examination by the Office of Price Administration or its authorized representatives at any reasonable time. However, if the fresh fruits or berries are acquired through the cus-

tom packer as agent of the purchaser, no statement is required, but the custom packer shall instead make and preserve a record of the same information for like examination.

(c) **Meaning of "custom packing".** In the regulation "custom packing" means any processing operation performed on fruits or berries owned by another, on a toll or contract basis (whether or not any packaging materials or additional ingredients are furnished), resulting in an item of frozen fruits or berries. "Custom packer" and "custom packed" shall be construed accordingly.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12067; Filed, August 11, 1944;
11:42 a. m.]

PART 1346—BUILDING MATERIALS

[RPS 45, Amdt. 4]

ASPHALT OR TARRED ROOFING PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 45 is amended in the following respects:

1. A new paragraph (i) is added to § 1346.63 to read as follows:

(i) An amount equal to 3 percent may be added to the maximum net prices established under this § 1346.63, such added amount to be shown separately on every invoice.

2. A new § 1346.65 is added to read:

§ 1346.65 Maximum prices for sales and deliveries by jobbers and dealers. The maximum prices for sales and deliveries of asphalt or tarred roofing products by any person other than a manufacturer shall be established in accordance with the provisions of §§ 1499.2, 1499.3, and 1499.18 of the General Maximum Price Regulation, except that any person purchasing asphalt or tarred roofing products for resale in the same form may add to his maximum price established on or prior to August 17, 1944, an amount not exceeding the actual dollars-and-cents increased cost incurred by him by reason of the increase permitted manufacturers under Amendment No. 4 to Revised Price Schedule No. 45.

This amendment shall become effective August 17, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12072; Filed, August 11, 1944;
11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 1369, 3853, 5590, 9 F.R. 9054.

PART 1356—COOKERS AND HEATERS

[MPR 64, Amdt. 1]

DOMESTIC COOKING AND HEATING STOVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 64 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. Prohibition against sales and purchases at prices higher than ceiling prices. Regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver, and, in the course of trade or business, no person shall purchase or accept delivery of, a domestic cooking or heating stove at a price higher than the maximum price fixed by this regulation, or before the manufacturer has properly determined his maximum price under this regulation.

If, in violation of this provision, a sale, offer to sell, or delivery of a domestic cooking and heating stove is made before its maximum price has been properly established in accordance with this regulation, the maximum price applicable to the sale, offer to sell or delivery, shall be the correct ceiling price for the stove, properly determined in accordance with this regulation.

As used in this regulation, a domestic cooking or heating stove means a new stove of the type commonly used in households, camps, or trailers for cooking or heating purposes, regardless of the fuel or power used. It includes all space heaters other than floor and wall furnaces or heaters intended to be built into or permanently attached in a building. For example, it includes station heaters, caboose stoves, and school heaters. It does not include electric stoves under 2½ kw.

2. Section 2 (a) is amended to read as follows:

(a) This regulation covers all sales of domestic cooking and heating stoves by a manufacturer to any person. As used in this regulation, a "manufacturer" is (1) a person who operates a factory in which stoves are manufactured or assembled, or (2) a person who regularly sells private brand stoves to jobbers or distributors, or (3) a person who sells private brand stoves, patterns or dies for which he owns.

Under the circumstances set forth in section 11 of this regulation, an order under this regulation may also establish maximum prices for sales of stoves by wholesalers and retailers. Unless such an order has been issued, ceiling prices for sales by persons other than the manufacturer are governed by the provisions of the General Maximum Price Regulation, or Maximum Price Regulation No. 210.

3. Section 5 (h) is amended to read as follows:

(h) Changes in shape, size, or material of oil or gas burners, provided that

² 8 F.R. 9303, 9879, 12632, 12952, 14154, 16293, 15874; 9 F.R. 7505, 7330.

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quality, efficiency, and BTU ratings are not reduced. These changes include changes in wick materials; they do not include the interchanging of dual gas burners and one-way gas burners.

4. Section 5 (n) is amended to read as follows:

(n) Omission or addition of thermometer, except on portable and stove-pipe ovens.

5. Section 6 is amended to read as follows:

SEC. 6. Reports, catalogues, and price lists. (a) You must notify the Office of Price Administration, Washington, D. C., whenever you change the model designation of any stove in your line. This may be done by letter.

(b) Every manufacturer must file with the Office of Price Administration, Washington, D. C., a copy of every catalogue and price list for domestic cooking and heating stoves, issued by him on and after June 1, 1941. In addition on and after August 16, 1944 every manufacturer must file a copy of every notification he issues to the trade concerning new prices, changes in prices, or changes in discounts and allowances. Copies of these notifications must be filed within ten days after they have been issued to the trade.

6. Section 7 (a) (1) is amended to read as follows:

(1) Find the model of stove for which you have a ceiling price which is comparable to the stove being priced. The "comparable" model is the one which is like the stove being priced in design, construction, and fuel type, and which is closest to it in unit direct cost. If a stove on which "minor changes" have been made is subsequently used as the "comparable" model in pricing a new or changed model, the cost for the "comparable" model shall be computed on the basis of the cost to make the stove without the "minor changes".

7. Section 8 is amended to read as follows:

SEC. 8. Ceiling prices fixed by special orders. (a) If you cannot apply the formula in section 7 because you have no comparable model, then your ceiling price is the price specifically authorized by the Office of Price Administration, in line with the level of ceiling prices fixed by this regulation. Applications for the establishment of such prices must be made to the Office of Price Administration, Washington, D. C. You may not, except in the case of sales to the United States or Allied Governments (see section 9 below) sell, offer to sell, or deliver a stove for which a price must be fixed under this section prior to the specific authorization of a price by the Office of Price Administration.

(b) If a manufacturer proposes to sell a stove to a new class of purchaser to whom he did not quote a price during the period January 15 to June 1, 1941, then the ceiling price shall be the price specifically authorized in writing by the Office of Price Administration, Washington, D. C. The authorized price will make appropriate adjustments from the manufacturer's ceiling prices, for sales to the new class of purchaser, in line with the manufacturer's existing differentials, or if he has none, in line with the differentials prevailing in the trade generally for sales to the new class of purchaser. Applications for the establishment of prices to new classes of purchaser should be made by letter.

8. Section 10 is amended to read as follows:

SEC. 10. Application for adjustment. (a) Any manufacturer subject to this regulation may apply to the Office of Price Administration, Washington, D. C., for an adjustment of his maximum price for a particular stove or stoves. An adjustment may be granted if it appears that:

(1) The manufacturer's ceiling price is below his total cost to make and sell the stove; and

(2) The manufacturer's entire stove operation is being conducted at a loss or will be at a loss within 90 days; and

(3) The loss of the manufacturer's production of that stove would result in higher prices to consumers for the same or substantially the same stove.

(b) Any adjustment, if granted, will not be greater than the lower of the following amounts:

(1) An amount sufficient to eliminate the loss incurred in making and selling the stove.

(2) An amount sufficient to bring the maximum price of the article into line with the level of maximum prices established by this regulation for sales of competitive manufacturers' comparable stoves to the same class of purchaser and on the same terms and conditions of sale.

9. Section 11 is amended to read as follows:

SEC. 11. Wholesale and retail prices. Whenever the manufacturer's ceiling price has been determined or adjusted under this regulation, an order may be issued fixing ceiling prices, or a method of determining ceiling prices, for sales of the stove or stoves by wholesalers and retailers.

10. Section 12 is redesignated section 13.

11. Section 13 is redesignated section 14.

12. A new section 12 is added to read as follows:

SEC. 12. Modification of provisions of Maximum Price Regulation No. 64. The

provisions of Maximum Price Regulation No. 64 as applied to classes of commodities or persons subject thereto may be modified by orders of general applicability issued under this section.

This amendment shall become effective on the 16th day of August 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12073; Filed, August 11, 1944;
11:43 a. m.]

PART 1364 FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336,¹ Amdt. 16]

CEILING PRICES FOR RETAIL PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 336 is amended in the following respects:

1. Section 2 (f) is added to read as follows:

(f) If you make mail order sales to ultimate consumers, that is, to individuals who buy pork cuts or sausage products to be eaten by themselves or their families, you may add to your ceiling prices determined under this regulation your actual express or mailing expense to the buyer's address.

2. Following the last sentence of the first paragraph of section 6a (a), a new sentence is added to read as follows:

If you make and place bulk fresh pork or breakfast sausage in a display case or tray instead of a carton or other immediate container, you shall attach to the sausage or display case or tray a label which may be a printed or stamped sign and which shall comply with the provisions of paragraph (b) of this section.

3. The product heading of subitem 2 of Item 20E and Item 20F in the price tables in section 19 for both Group 1 and 2 and Group 3 and 4 stores is amended to read as follows:

2. Vinegar pickled and cooked—

4. Item 31 of the price table in section 19 for Group 1 and 2 stores is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

¹9 F.R. 167, 2212.

[Price per pound]

	Zone 1, group 1 and 2	Zone 2, group 1 and 2	Zones 3 and 4, group 1 and 2	Zone 4a, group 1 and 2	Zone 5, group 1 and 2	Zones 6 and 7, group 1 and 2	Zones 8 and 9, north, group 1 and 2	Zones 8 and 9, south, group 1 and 2	Zone 10, group 1 and 2
\$1. Sparerib brisket bones:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Fresh or frozen.....	14	13	12	11	11	12	13	13	14
2. Cured.....	14	14	13	11	12	12	13	13	14
3. Smoked.....	19	19	17	16	16	17	17	18	18

5. Item 31 of the price table in section 19 for group 3 and 4 stores is added to read as follows:

[Price per pound]

	Zone 1, group 3 and 4	Zone 2, group 3 and 4	Zones 3 and 4, group 3 and 4	Zone 4a, group 3 and 4	Zone 5, group 3 and 4	Zones 6 and 7, group 3 and 4	Zones 8 and 9, north, group 3 and 4	Zones 8 and 9, south, group 3 and 4	Zone 10, group 3 and 4
\$1. Sparerib brisket bones:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Fresh or frozen.....	12	12	11	10	10	11	12	12	12
2. Cured.....	13	13	12	10	11	11	12	12	12
3. Smoked.....	18	17	16	15	15	15	16	16	17

6. Item 15 in the price tables in section 20 for both group 1 and 2 and group 3 and 4 stores is redesignated item 15A.

7. A new item 15B in the price table in section 20 for group 1 and 2 stores is added to read as follows:

GROUP 1 AND 2 STORES

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7 north and south	Zone 8 north and south	Zone 9 north and south	Zone 10
15B. Pork or breakfast sausage, smoked, beef rounds (B. C.):											
1. Type 3.....	.41	.40	.39	.39	.38	.39	.39	.40	.40	.41	.41
2. Type 4.....	.32	.31	.30	.30	.29	.30	.30	.31	.31	.31	.32

8. A new item 15B in the price table in section 20 for group 3 and 4 stores is added to read as follows:

GROUP 3 AND 4 STORES

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7 north and south	Zone 8 north and south	Zone 9 north and south	Zone 10
15B. Pork or breakfast sausage, smoked, beef rounds (B. C.):											
1. Type 3.....	.39	.38	.37	.37	.36	.37	.37	.38	.38	.38	.39
2. Type 4.....	.30	.30	.29	.28	.28	.28	.29	.29	.29	.30	.30

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12074; Filed, August 11, 1944;
11:44 a. m.]

PART 1375¹—EXPORT PRICES

[2d Rev. Max. Export Price Reg., Amdt. 9]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 3 (e) of the Second Revised Maximum Export Price Regulation is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5932, 7201.

(e) An exporter who would be entitled to receive a Government subsidy or similar benefit for the exported commodity if he sold it for civilian consumption within the United States, but who is not entitled to receive such subsidy or similar benefit when he exports the commodity, may take as his base price under this section the base price expressly provided for such purpose in the domestic price regulation applicable to the commodity or, if no base price is so provided, he may increase his base price otherwise applicable under this section (which may not exceed the maximum price he might charge a domestic civilian purchaser of the same class) by the amount of such subsidy or similar benefit. An exporter who is required to and does pay any amount to any Government agency by way of reimbursement for any subsidy or similar benefit received or to be received by him or any other person from the Government with respect to the exported commodity, may increase his base price otherwise applicable under this sec-

tion by the amount of such reimbursement.

This Amendment No. 9 shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12068; Filed, August 11, 1944;
11:42 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 424,¹ Amdt. 3]

TIGHT COOPERAGE STOCK AND SAWED TIGHT COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 18, Table VI is amended to read as follows:

TABLE VI—MAXIMUM PRICES FOR COOPERAGE DOWELS

F. O. B. MILL OR RAILHEAD

Per Bushel
5/16" size..... \$2.85
3/4" size..... 3.30

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12066; Filed, August 11, 1944;
11:42 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,² Amdt. 19]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5351 (a) is amended by substituting for the phrase "may obtain a ration for such purpose," the phrase "may apply for a ration for such purpose."

2. Section 1394.5153 (d) is added as follows:

(d) *Further restrictions on issuance of rations for hot water or domestic cooking.* No ration shall be issued or used for furnishing hot water or for domestic cooking if the applicant has the use of electric equipment for the purpose. If such equipment is not adequate for the purpose, the allowable ration shall be reduced by the amount that can be saved by the maximum use of such equipment.

¹ 8 F.R. 9516, 11175; 9 F.R. 3351.

² 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253, 5502, 5926, 6030, 5804, 6360, 7169, 7201, 7708, 7773, 8988.

FEDERAL REGISTER, Saturday, August 12, 1944

3. Section 1394.5154 (c) is added as follows:

(c) *Further restrictions on issuance of rations for hot water.* Regardless of the provisions of the next three sections, no ration shall be issued or used for furnishing hot water if the applicant has the use of electric equipment for the purpose. If such equipment is not adequate for the purpose, the allowable ration shall be reduced by the amount that can be saved by the maximum use of such equipment.

4. An undesignated center headnote is added preceding § 1394.5161 as follows: "Lighting Equipment".

5. Section 1394.5161 is added to read as follows:

§ 1394.5161 *Restrictions on issuance of rations for domestic lighting.* (a) No ration shall be issued or used for domestic lighting if the applicant has the use of electric equipment for the purpose. If such equipment is not adequate for the purpose, the allowable ration shall be reduced by the amount that can be saved by the maximum use of such equipment.

6. Section 1394.5665 is amended to read as follows:

§ 1394.5665 *Exchange of fuel oil.* (a) Nothing in this order shall be deemed to forbid a consumer from transferring fuel oil to a dealer or primary supplier in exchange for an equal quantity of fuel oil of the same or another grade and, from consuming the fuel oil so acquired: *Provided*, That the transfers by and to such consumer are made within twenty-four (24) hours of each other. If unequal quantities of fuel oil are exchanged within twenty-four (24) hours the delivery of the excess quantity is deemed a separate transfer.

This amendment shall become effective on August 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12069; Filed, August 11, 1944;
11:43 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 397, Amdt. 5]

FLAXSEED

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 397 is amended in the following respects:

1. Section 5 (a) (1) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

(1) At the following terminal basing points where the lot sold is not delivered by truck:

	Per bushel
Minneapolis, Duluth and Red Wing, Minnesota	\$3.10
Milwaukee, Wisconsin	3.10
Chicago, Illinois	3.10
Portland, Oregon	3.10
Emporia and Fredonia, Kansas	2.95
Corpus Christi, Harlingen and Houston, Texas	2.90

play back needles, recording blanks, record cabinets and record cleaning devices.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12076; Filed, August 11, 1944;
11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMFR, Amdt. 160]

BOILED-DOWN VEGETABLE OIL FOOTS SOAP STOCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, have been filed with the Division of the Federal Register.*

Section 4.19 of Revised Supplementary Regulation No. 14 is amended to read as follows:

SEC. 4.19 Boiled-down vegetable oil foots soap stock—*Basis 65 percent T. F. A.*—(a) *Maximum prices for sales of soybean, peanut, corn, or cottonseed oil soap stock in car lots.* Notwithstanding any other provision of the General Maximum Price Regulation, the maximum prices for all sales of boiled-down soybean, peanut, corn or cottonseed oil soap stock—*basis 65 percent T. F. A.* in car lots, shall be the maximum delivered prices specified below:

(1) *Soap stock produced in Texas.*—

(i) For deliveries within Texas:

	Cents per pound
From soybean oil foots	6.125
From peanut oil foots	6.50
From corn oil foots	6.125
From cottonseed oil foots	6.25

(ii) For deliveries to any point outside Texas except the states mentioned in (iii) below:

	Cents per pound
From soybean oil foots	6.375
From peanut oil foots	6.75
From corn oil foots	6.375
From cottonseed oil foots	6.50

(iii) For deliveries to any point in Washington, Oregon, California, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, Virginia, and West Virginia:

	Cents per pound
From soybean oil foots	6.50
From peanut oil foots	6.875
From corn oil foots	6.50
From cottonseed oil foots	6.825

(2) *Soap stock produced in California.*—

(i) For deliveries within California:

	Cents per pound
From soybean oil foots	6.125
From peanut oil foots	6.50
From corn oil foots	6.125
From cottonseed oil foots	6.25

*Copies may be obtained from the Office of Price Administration.

19 F.R. 8232.

(ii) For deliveries in any state west of the Mississippi River except California:

	Cents per pound
From soybean oil foots	6.375
From peanut oil foots	6.75
From corn oil foots	6.375
From cottonseed oil foots	6.50

(iii) For deliveries to any state east of the Mississippi River:

	Cents per pound
From soybean oil foots	6.50
From peanut oil foots	6.875
From corn oil foots	6.50
From cottonseed oil foots	6.625

(b) *Maximum prices for sales of all other vegetable oil foots soap stock in car lots.* Notwithstanding any other provision of the General Maximum Price Regulation, the maximum prices for all sales in car lots of boiled-down soap stock—basis 65 per cent T. F. A. manufactured from vegetable oil foots other than those specified in (a) above shall be the maximum delivered price for the sale of the foots used, as determined under Maximum Price Regulation No. 53, Chicago basing point, plus:

(1) *For soap stock produced in Texas.* (i) For deliveries within Texas, 2.75 cents per pound.

(ii) For deliveries to any point outside Texas, except the states mentioned in (iii) below, 3 cents per pound.

(iii) For deliveries to any point in Washington, Oregon, California, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, Virginia and West Virginia, 3.125 cents per pound.

(2) *For soap stock produced in California.* (i) For deliveries within California, 2.75 cents per pound.

(ii) For deliveries in any state west of the Mississippi River, except California, 3 cents per pound.

(iii) For deliveries to any state east of the Mississippi River, 3.125 cents per pound.

(c) *Maximum prices for sales of mixed foots soap stock in car lots.* (1) Notwithstanding any other provisions of the General Maximum Price Regulation the maximum delivered price in car lots for any sale of boiled-down soap stock manufactured from mixed vegetable oil foots shall not exceed the maximum delivered price applicable to boiled-down soap stock made from the lowest priced foots in the mixture. For example, the maximum delivered price of a mixed foots soap stock made from cottonseed, peanut, and corn oil foots, is 6.125 cents per pound (if produced in Texas and delivered within Texas), which is the delivered price applicable to boiled-down soap stock made from corn oil foots, the lowest priced foots in the mixture.

(2) Any seller of mixed foots boiled-down soap stock shall furnish the buyer, prior to payment by him, a notice or invoice, indicating what vegetable oil foots are contained in the soap stock sold.

(d) *Maximum prices for sales in l. c. l. quantities.* Maximum delivered prices for less-than-carload quantities of boiled-down soap stock shall be the same

as carload delivered prices set forth in (a), (b), and (c) above, except that deliveries to buyers within the metropolitan areas of Los Angeles, California, Dallas, Texas, and Houston, Texas, for consumption in those areas, shall be at the expense of such buyers.

(e) *Maximum prices for imported boiled-down soap stock.* (1) The maximum delivered price for any sale of boiled-down soap stock imported to an Atlantic Ocean or Gulf of Mexico port shall not exceed the maximum delivered price for such boiled-down soap stock produced in Texas and delivered to the same buyer.

(2) The maximum delivered price for any sale of boiled-down soap stock imported to a Pacific Ocean port shall not exceed the maximum delivered price for such boiled-down soap stock produced in California and delivered to the same buyer.

(f) *Other charges.* The above maximum delivered prices shall not be increased by any charges for containers or brokers' fees.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12075; Filed, August 11, 1944;
11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 161]

IMPORTED PACKED PINEAPPLE

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1.28 (a) is amended in the following respects:

1. The maximum prices named in tables I and II for pineapple in brine are amended to read as follows:

Kind and style of pack (all brands)	Grade	*	*
Pineapple in brine:			Maximum prices in cents per pound
Slices.....	No. 1.....	13½	
	No. 2.....	12½	
	No. 3.....	11½	
Broken pieces.....			

2. The second undesignated paragraph after the tables in section 1.28 (a) is amended to read as follows:

The maximum prices listed above are ex dock, Miami, Florida, duty paid or ex railroad car or other type of carrier, Laredo, Texas, duty paid. The maximum price ex dock any other port of entry shall be determined by adding to or subtracting from (as the case may be) the Miami, Florida, ex dock price the difference between (1) the April 29, 1944 actual cost of ocean freight, the cost of war risk insurance (figured for shipments made after June 25, 1944, at a cost

not exceed the amount of the war risk insurance premium paid at rates in effect at the time of shipment, on a value representing 105% of the sum of the foreign invoice price, freight to the port of entry, and premiums paid for marine and war risk insurance) and marine insurance from the port of origin to Miami, Florida, and (2) the April 29, 1944 actual cost of ocean freight, war risk insurance (figured for shipments made after June 25, 1944 at the same rates) and marine insurance from the same port of origin to such other port of entry. The maximum price ex railroad car or any other type of carrier for any other point of entry on United States-Mexico border shall be determined by adding to or subtracting from (as the case may be) the Laredo, Texas, ex railroad car (or other type of carrier) price the difference between (1) the April 29, 1944 actual cost of transportation at lowest available common or contract carrier rate from the point of shipment to Laredo, Texas and (2) the April 29, 1944 actual cost of transportation at lowest available common or contract carrier rate from the same point of shipment to such other point of entry on United States-Mexico border.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12077; Filed, August 11, 1944;
11:44 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Subchapter E—War Contracts

[G. O. 57]

PART 298—SETTLEMENT OF CLAIMS ARISING UNDER TERMINATED WAR CONTRACTS

The United States Maritime Commission (herein called the Commission), acting pursuant to the provisions of the Contract Settlement Act of 1944 (herein called the Act), has prescribed the following regulations with respect to the settlement of claims arising under terminated war contracts:

AUTHORITY TO TERMINATE

Sec. 298.1 Contracts by Director of Procurement Division.
298.2 Contracts by agents of the Commission.
298.3 Other contracts of the Commission.

FAIR COMPENSATION AND INTEREST

298.21 Fixed-price supply contracts.
298.22 Fixed-price supply subcontracts.
298.23 Other subcontracts and cost-plus-a-fee contracts.
298.24 Interest allowable.

PRESENTATION OF CLAIMS

298.41 Approved forms.
298.42 Place for filing.

SETTLEMENT OF CLAIMS

298.61 General policies.
298.62 Fixed-price supply contracts.

*Copies may be obtained from the Office of Price Administration.

Sec.
 298.63 Contracts by Director of Procurement Division.
 298.64 Contracts by agents of the Commission.
 298.65 Vessel and shipyard facilities contracts.

APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

Sec.
 298.81 Authority of officers to approve.
 298.82 Review of and policy governing approval.
 298.83 Settlement without approval.
 298.84 Direct settlement by Commission.
 298.85 Effect of appointment of trustee or receiver, etc.

INTERIM FINANCING

298.101 Application for, authority to make, and approval of advance or partial payments.
 298.102 Amount of partial or advance payments.
 298.103 Loans, guarantees, or commitments.

ADVANCE NOTICE

298.121 Notice to prime contractors and subcontractors.

REMOVAL AND STORAGE OF MATERIALS

298.141 Statements and removal.
 298.142 Obligation of Commission as custodian.
 298.143 Retention by or sale to war contractor.
 298.144 Government-owned machinery, tools, and equipment.

APPEAL

298.161 Findings.
 298.162 Appeal from findings.
 298.163 Remand.
 298.164 Authority to agree to arbitrate.
 298.165 Arbitration of dispute between war contractor and subcontractor.

SETTLEMENTS INDUCED BY FRAUD

298.181 Reports of fraud.

GENERAL

298.201 Exemptions from Act.
 298.202 Assistance to war contractors.
 298.203 Calculation of amount of termination claims.
 298.204 Orders and regulations of director controlling.

AUTHORITY: §§ 298.1 to 298.204, inclusive, issued under subsections (c) and (e) of section 4 of the Contract Settlement Act of 1944, 58 Stat. 649.

AUTHORITY TO TERMINATE

§ 298.1 *Contracts by Director of Procurement Division.* The Director of the Procurement Division of the Commission is authorized to terminate work for the convenience or at the option of the Commission under any supply contract or purchase order entered into on behalf of the Commission by said Director.

§ 298.2 *Contracts by agents of the Commission.* Any individual, firm, or corporation authorized to enter into contracts for and on behalf and as agents of the Commission is authorized to terminate work under contracts so entered into under the optional provisions contained in such contracts.

§ 298.3 *Other contracts of the Commission.* Termination of work for the convenience and at the option of the Commission under any other contract of the Commission must be authorized by the Commission itself. Evidence of

the Commission action will be in the form of a written or telegraphic notice signed by the Secretary or an Assistant Secretary of the Commission.

FAIR COMPENSATION AND INTEREST

§ 298.21 *Fixed-price supply contracts.* The Commission has determined that the provisions of the Uniform Termination Article for Fix-price Supply Contracts¹ provides for fair compensation to war contractors who hold fixed-price supply contracts with the Commission. The Director of the Procurement Division and the agents of the Commission referred to in § 298.2 hereof, are authorized to enter into an amendment of any such contract, irrespective of whether work thereunder has been terminated, so as to include such Article as a part of such contract.

§ 298.22 *Fixed-price supply subcontracts.* The Commission has determined that the Approved Termination Provision for Use in Fixed-price Orders or Subcontracts for the Manufacture of Supplies under Government War Contracts² provides for fair compensation to war contractors who hold such type of subcontracts. The officers of the Commission authorized to approve termination claims of subcontractors will approve the amendment of any subcontracts heretofore or hereafter entered into so as to incorporate therein such provisions. Such approvals shall not, however, be construed as a representation on the part of the Commission and the officer granting such approval that the particular subcontract is allocable to a prime contract with the Commission.

§ 298.23 *Other subcontracts and cost-plus-a-fee contracts.* Cost-plus-a-fee contracts heretofore entered into by the Commission and agreements for personal services contain provisions which provide for fair compensation. Wherever in the opinion of a war subcontractor a subcontract, other than a fixed-price supply subcontract, does not provide for such fair compensation, such subcontractor shall request the war contractor who has entered into the subcontract with him to amend such subcontract to provide for such fair compensation. Approval of such amendment may be granted by the officers of the Commission authorized to approve termination claims arising under subcontracts.

§ 298.24 *Interest allowable.* Interest on termination claims under a prime contract or subcontract shall be allowed in accordance with the provisions of subsection (f) of section 6 of the Act at the rate of 2½ per centum per annum. Such interest shall not accrue prior to July 21, 1944, and may be denied or reduced in accordance with the provisions of such subsection (f). The amount of the contractor's or subcontractor's termination claim as finally approved in accordance with these regulations shall determine the amount of

interest to be allowed subject, however, to the adjustments provided for in such subsection (f). A contractor shall be deemed to have unreasonably delayed the settlement of his termination claim if he shall have failed to file such claim with all required information, on the forms approved by the Commission, within thirty days of the date of notice of termination of work under his contract or such longer period as the Settlement Review Board of the Commission shall determine as a reasonable time for filing of the claim, or if he shall fail to furnish promptly on request such information and records as the Commission or its duly authorized representatives may reasonably require in connection with the examination of his claim. A subcontractor shall be deemed to have unreasonably delayed the settlement of his termination claim in the event he shall fail to file such claim with the war contractor who placed the subcontract within thirty days after the date of notice of termination of his subcontract, or such longer period as the Settlement Review Board shall deem reasonable, or shall fail to furnish promptly on request such information and records as the Commission or its duly authorized representatives may reasonably require in connection with their examination of the claim.

PRESENTATION OF CLAIMS

§ 298.41 *Approved forms.* The Commission has approved the use of certain forms for presentation of termination claims under war contracts. Copies of such forms may be obtained upon application to the Director of the Procurement Division, United States Maritime Commission, Washington 25, D. C.; the Regional Director of Construction, East Coast Region, 1015 Chestnut Street, Philadelphia 7, Pennsylvania; the Regional Director of Construction, Gulf-Great Lakes Region, United States Maritime Commission, 348 Baronne Street, New Orleans 12, Louisiana, or 310 So. Michigan Avenue, Chicago 4, Illinois; and the Regional Director of Construction, West Coast Region, United States Maritime Commission, Financial Center Building, Oakland 12, California.

§ 298.42 *Place for filing.* Termination claims arising under any contract entered into on behalf of the Commission by the Director, Procurement Division, should be filed with the Chief, Termination Section, Procurement Division, United States Maritime Commission, Washington 25, D. C. Termination claims arising under any contract entered into for and on behalf of the Commission by its agent should be filed with such agent. Termination claims arising under any prime contract for the construction of vessels should be filed with the Regional Director of Construction for the region in which the contractor was performing the contract work. Termination claims arising under any terminated subcontract should be filed with the war contractor who placed such subcontract, except in those cases where the claim is to be settled directly by the Commission as hereinafter provided.

¹ 9 F.R. 478.2251.

² 9 F.F. 6136.

SETTLEMENT OF CLAIMS

§ 298.61 General policies. The Commission approves the settlement so far as practicable of termination claims arising under war contracts by agreement. Agreements for such purpose may be entered into in the case of termination claims under both fixed-price and cost-plus-a-fee contracts. Audits shall be avoided to the extent consistent with the Government's interest. In certain cases the amount payable to the contractor may be based on an estimate of the amount of work completed by him with due regard to the probable cost of such work and the profits derived therefrom or on any other equitable basis approved by the Settlement Review Board or the Director of Contract Settlement. In determining fair compensation for termination claims the methods established under subsection (d) of section 6 of the Act shall be followed so far as practicable.

§ 298.62 Fixed-price supply contracts. A termination claim arising under a terminated fixed-price supply contract will be approved if the amount of such claim is not in excess of the amounts specified in subparagraphs (1), (2), and (3) of paragraph (d) of the aforementioned Uniform Termination Article for Fixed-price Supply Contracts (see § 298.21). The determination of such amounts may be made by agreement between the contractor and the officer of the Commission hereinbefore designated to enter into settlements of termination claims under fixed-price supply contracts.

§ 298.63 Contracts by Director of Procurement Division. The Director of the Procurement Division and such Assistant Directors of that Division as he may designate and the Chief, Termination Section of the Procurement Division, to the extent that such authority may be delegated to them by said Director, are authorized to settle by agreement or determine without agreement termination claims arising under fixed-price supply contracts entered into on behalf of the Commission by the Director, Procurement Division, but no such agreement or determination shall become binding upon the Commission if the amount thereof shall exceed the sum of \$5,000, unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission.

§ 298.64 Contracts by agents of the Commission. Termination claims arising under contracts entered into for and on behalf of the Commission by an individual, firm, or corporation acting as agent for the Commission may be settled by agreement or determined by such agent with approval of the Regional Director of Construction of the Commission, or such officer as he may designate, for the region in which the contract work was being performed; but no such agreement or determination shall be binding upon the Commission if the amount of the claim shall exceed the sum of \$5,000, unless it shall have been

submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission.

§ 298.65 Vessel and shipyard facilities contracts. Termination claims arising under contracts for the construction of vessels or the construction of shipyard facilities may be settled by agreement or determined by the Regional Director of Construction, or such officer as he may designate, for the region in which the contract work was being performed. No such agreement or determination shall be binding upon the Commission unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission.

APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

§ 298.81 Authority of officers to approve. The Director, Procurement Division of the Commission, and such Assistant Directors of the Division as he may designate and the Chief, Termination Section of the Procurement Division, to the extent that such authority may be delegated to them by said Director, are authorized to approve termination claims of subcontractors under fixed-price supply contracts or purchase orders entered into on behalf of the Commission by the Director, Procurement Division. The Regional Director of Construction, or such officer as he may designate, is authorized to approve termination claims under all other subcontracts. Such approvals may be granted, however, only in those cases where the claim is made upon forms approved by the Commission and the war contractor who has placed the subcontract furnished a certificate in the form approved by the Commission in respect of the reasonableness of the proposed settlement.

§ 298.82 Review of and policy governing approval. No approval of the termination claims of subcontractors, granted under the provisions of § 298.81 thereof, shall be binding upon the Commission if the amount of the claim shall exceed the sum of \$5,000, unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission. In approving termination claims arising under fixed-price supply orders or subcontracts the officers of the Commission shall conform to the Statement of Policy Concerning Settlement of Claims under Terminated Fixed-Price Orders or Subcontracts for the Manufacture of Supplies under Government War Contracts, adopted by the Joint Contract Termination Board.¹

§ 298.83 Settlement without approval. War contractors may make settlements of termination claims arising under subcontracts without approval in the event that (1) the amount of the claim

does not exceed \$5,000, and (2) authority has been granted by the Settlement Review Board so to settle claims, provided that any such authority may be revoked, at any time before the settlement is concluded, by notice in writing to the war contractor over the signature of the Chairman or Acting Chairman of such Board. Application for authority so to settle subcontract claims should be made to the Settlement Review Board, United States Maritime Commission, Washington 25, D. C. Except as hereinbefore provided, no settlement of the termination claims of subcontractors, made without approval, shall be binding.

§ 298.84 Direct settlement by Commission. Unless a different procedure is approved by the Settlement Review Board settlement of subcontractors' claims and payment thereof will be made by the war contractor who placed the subcontract. Where a subcontractor or an officer of the Commission charged with the settlement of termination claims is of the opinion that any such war contractor is not financially responsible or where the death or dissolution of the war contractor or other circumstances make it necessary for the protection of the interests of the subcontractor that settlement or payment be made directly with or to the subcontractor, such facts should be immediately reported to the Settlement Review Board. Such Board is authorized to provide for direct settlement or direct payment or to require that payments made to the war contractor on account of termination claims of his subcontractors be deposited in a controlled account established under a deposit agreement satisfactory to such Board.

§ 298.85 Effect of appointment of trustee or receiver, etc. In the event the bankruptcy or insolvency of any war contractor or the appointment of a trustee or receiver for such war contractor or his property shall have the effect of preventing collection of any termination claim of a subcontractor under such war contractor, all the facts in respect of such claims should be submitted to the Settlement Review Board in order that such Board may determine whether to recommend to the Commission the taking of any action pursuant to the provisions of Section 7 of the Act.

INTERIM FINANCING

§ 298.101 Application for, authority to make, and approval of advance or partial payments. Applications for advance or partial payments on account of the termination claim of a war contractor should be made to the officer or agent of the Commission hereinbefore designated to settle the termination claim of a prime contractor or approve the settlement of the termination claim of a subcontractor. Such application should be in the form of a certificate, forms of which may be obtained from the officers referred to in § 298.41 hereof. Where the war contractor making application is a prime contractor the officer authorized to settle by agreement or determine the amount of the claim is authorized to make ad-

¹ 9 F.R. 6135, 6483.

vance or partial payments in an amount not to exceed an aggregate of \$5,000 on account of any single claim or \$20,000 on account of all unsettled claims of any single contractor. Where application is made to an agent who entered into a contract for and on behalf of the Commission, the agent may make such payments within the amounts specified, with the approval of the officer authorized to approve the settlement of termination claims under such contracts not in excess of the amount of \$5,000. Advance or partial payments in excess of an aggregate of \$5,000 on account of any single claim or \$20,000 on account of all unsettled claims of any single contractor, or to war contractors other than prime contractors, may be made only with the approval of the Settlement Review Board.

§ 298.102 Amount of partial or advance payments. The amount of the partial or advance payment shall equal (a) 100 per centum of the amount payable at the contract price on account of acceptable items completed but undelivered prior to the termination date under the terms of the contract or completed thereafter in accordance with the provision of the notice of termination, plus (b), an amount equal to 90 per centum of the cost of raw materials, purchased parts, supplies, direct labor, and manufacturing overhead allocable to the terminated portion of the war contract as shown on the certificate of the war contractor, plus (c) an amount equal to 90 per centum of other allowable costs including administrative overhead shown on the war contractor's certificate and allocable to the terminated portion of the war contract but not included in the foregoing. The officers of the Commission, agents, or Settlement Review Board charged with the duty of settling or approving the claim may, however, in their discretion reduce or deny any such advance or partial payment in the event such officers, agents, or Board shall have reason to believe that the certificate for advance payment incorrectly states any amount to be made the basis of such advance payment. In appropriate cases a check or audit of the war contractor's records may be required as a condition precedent to the making of the payment. Where advance or partial payments previously applied for and made shall not equal the foregoing amounts based on estimates made from time to time, additional payments which together with the payments theretofore made, are not in excess of such estimates may be applied for and made.

§ 298.103 Loans, guaranties or Commitments. Applications from war contractors for direct loans, as provided in section 9 of the act, shall be made to the Director of Finance, United States Maritime Commission, Washington 25, D. C. Applications for guaranties or commitments for guaranties from financing institutions shall be made to the Federal Reserve Banks in accordance with instructions and regulations issued by the Director of Contract Termination.

ADVANCE NOTICE

§ 298.121 Notice to prime contractors and subcontractors. The Commission will give each prime contractor, work under whose contract is terminated for the convenience or at the option of the Commission, such advance notice as is feasible and consistent with the national security without permitting unneeded production of performance. Promptly upon receipt of such notice the prime contractor should notify each subcontractor, work under whose subcontract is required to be terminated on account of the termination of work under the prime contract, stating what work thereunder is to be terminated and the reason therefor, and requesting that notice in turn be given to other war contractors work under whose subcontracts is required to be terminated on account of the termination of work under such subcontract. In the event that the cessation of work provided for in the notice of termination to the prime contractor will result in substantial injury to plant or property, such prime contractor shall immediately notify by telegram the officer of the Commission who sent the notice of termination. Such officer is authorized to modify the notice of termination in appropriate cases.

REMOVAL AND STORAGE OF MATERIALS

§ 298.141 Statements and removal. The statements of the termination inventory of a war contractor must be made upon forms approved for such purpose by the Commission. Copies of such forms may be obtained from any of the officers referred to in § 298.41 hereof. In the case of a war contractor who holds a prime fixed-price supply contract entered into by the Director, Procurement Division, or a subcontract under such a prime contract, the statements should be mailed to the Director, Procurement Division of the Commission, at the address indicated above, marked to the attention of "Chief, Termination Section". In the case of any other war contractor holding a prime contract with the Commission, or subcontractor under such a prime contract, the statement should be mailed to the Regional Director of Construction of the Commission for the region in which the prime contract work was being performed. Until such time as the Director of Contract Settlement has designated some other agency of the Government for such purpose the Commission will undertake so far as practicable to make removal as promptly as possible of termination inventory from the war contractor's plant which the war contractor does not desire to retain in accordance with an agreement reached with the Commission or the person who has placed the war contract with him.

§ 298.142 Obligation of Commission as custodian. The obligation of the Commission in respect of any termination inventory of a war contractor delivered into its custody shall be limited in the manner prescribed in section 12 of the Act.

§ 298.143 Retention by or sale to war contractor. Officers of the Commission, or agents with the approval of the officers authorized to approve their settlement of termination claims not in excess of the amount of \$5,000, authorized to settle claims of prime contractors or approve claims of subcontractors are also authorized to approve the retention by or sale to the contractor or subcontractor as the case may be of termination inventories: *Provided that*, Where the credit or price received by the Government is less than the amount included for such inventory in the contractor's or subcontractor's claim, such approval shall be final only where the cost of such termination inventory so retained or sold is not in excess of \$50,000 or approval of its sale or retention shall have been granted by the Settlement Review Board.

§ 298.144 Government-owned machinery, tools, and equipment. Whenever any war contractor no longer requires for the performance of any war work any Government-owned machinery, tools, or equipment made available by the Commission and installed in a plant or shipyard owned by him, such war contractor shall in the case of machinery, tools, and equipment installed in a shipyard notify by registered mail the Regional Director of Construction of the Commission for the region in which the shipyard is located, or in the case of machinery, tools, and equipment installed in any manufacturing plant notify by registered mail the Director, Procurement Division, United States Maritime Commission, Washington 25, D. C. In the event that within sixty days of the date of mailing such notice such machinery, tools, or equipment have not been removed or arrangements for such removal shall not have been made between representatives of the war contractor and the Commission, the war contractor shall notify the Chairman of the United States Maritime Commission of such fact by registered mail. In such event if removal of the machinery, tools, and equipment is not made within twenty days of the date of receipt of such notice the war contractor may remove and store all or part thereof in a safe warehouse either on his own premises or within a reasonable distance of his shipyard or plant. Upon making such removal the contractor should have an independent engineer or appraiser compile an inventory showing the exact condition of each article removed and where necessary should cause the article to be packed or treated with preservative substances. Until such time as custody of the machinery, tools, or equipment is accepted on behalf of the Commission the contractor shall have an obligation to see that all necessary precautions are taken for the preservation thereof. The Commission will be obligated to pay the cost of making an inventory of, removing, packing, transporting, and preserving such machinery, tools, and equipment to the extent such costs are reasonable, but only if the contractor shall promptly notify the Chairman of the Commission by registered mail of all ac-

tions taken by him in respect of such machinery, tools, and equipment. Any claim for reimbursement of costs must be supported by such reasonable evidence of the payment thereof as the Commission may require.

APPEAL

§ 298.161 Findings. The Settlement Review Board is authorized to make the findings provided for in section 13 of the act. Demands by a war contractor for the making of such findings should be addressed to the Settlement Review Board, United States Maritime Commission, Washington 25, D. C.

§ 298.162 Appeal from findings. Where a war contractor desires to appeal to the Commission from the findings made by the Settlement Review Board, the contractor should address by registered mail a letter to the Secretary, United States Maritime Commission, Washington 25, D. C. The Commission will then consider the protest of the contractor and in appropriate cases will set a date for hearing thereon either before the Commission or a special board to be designated by it.

§ 298.163 Remand. Any remand of a case involving the termination claim of a war contractor by the Appeal Board or a court pursuant to paragraph (3) of subsection (c) of section 13 of the Act should be addressed to the Secretary, United States Maritime Commission, Washington 25, D. C. The proceedings thereunder shall be such as may be authorized by the Commission.

§ 298.164 Authority to agree to arbitrate. The officers of the Commission authorized by these regulations to settle by agreement or determine, or in the case of contracts entered into for and on behalf of the Commission by its agents to approve the settlement of, the termination claims of war contractors in the case of claims not exceeding the sum of \$5,000 and the Settlement Review Board in all other cases are authorized to enter into an agreement with a war contractor to submit all or any part of such a claim to arbitration, pursuant to subsection (e) of section 13 of the act.

§ 298.165 Arbitration of dispute between war contractor and subcontractor. Where a war contractor and his subcontractor desire to submit to the Commission a dispute between them concerning a termination claim of the subcontractor, pursuant to subsection (f) of section 13 of the act, they should submit such dispute to the Settlement Review Board for mediation or arbitration.

SETTLEMENT INDUCED BY FRAUD

§ 298.181 Reports of fraud. The Executive Director of the Commission is authorized to receive reports concerning fraud inducing a settlement of termination claims. A copy of any such report should be filed with the General Counsel and the Director of Finance. If the Executive Director should determine that

the evidence is sufficient to indicate that the settlement was induced by fraud, he should report the matter to the Commission. If the Commission is of the opinion that the settlement was fraudulently induced, it shall report the facts to the Department of Justice for investigation and to the Comptroller General for his determination of the amount of the contract price to be withheld from any amounts owing the war contractor, pursuant to subsection (b) of section 16 and subsection (e) of section 18 of the act.

GENERAL

§ 298.201 Exemptions from act. The Commission hereby exempts from the provisions of the act any modification of a war contract pursuant to its terms for the purpose of changing plans or specifications applicable to the work without substantially reducing its extent.

§ 298.202 Assistance to war contractors. The Regional Attorneys, the Regional Auditors of Construction, and their respective assistants, and the auditors of the Commission at shipyards or manufacturing plants are authorized and directed to the extent not inconsistent with their other duties, as part of their official duties, to advise, aid, and assist war contractors in preparing and presenting termination claims and obtaining interim financing and in related matters.

§ 298.203 Calculation of amount of termination claims. In determining the amount of a termination claim of a war contractor for the purpose of fixing the authority to perform certain functions under these regulations, no deductions shall be made on account of credits for property chargeable to the Government or for advance or partial payments but amounts due for completed articles or work done at the contract price and for the discharge of the termination claims of subcontractors shall be deducted.

§ 298.204 Orders and regulations of Director controlling. The exercise of any authority or discretion and the performance of any duty or function conferred or imposed by these regulations shall be subject to the orders or regulations issued by the Director of Contract Settlement within the scope of the authority conferred upon him by the act. Such orders or regulations, whenever issued, must be complied with by all officers and employees of the Commission whose duties or functions are affected thereby. Anything contained in these regulations which may be inconsistent with any such order or regulation hereafter issued will be deemed amended so as to remove such inconsistency.

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS,
Secretary.

AUGUST 10, 1944.

[F. R. Doc. 44-12035; Filed, August 11, 1944;
11:27 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. SA-92]

ACCIDENT OCCURRING NEAR MARTINS FERRY,
OHIO

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 21107 which occurred near Martins Ferry, Ohio, on August 3, 1944.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Wednesday, August 16, 1944, at 10:00 a. m. (e. w. t.) at the William Penn Hotel, Pittsburgh, Pennsylvania.

Dated at Washington, D. C., August 9, 1944.

[SEAL]

ALLEN P. BOURDON,
Presiding Officer.

[F. R. Doc. 44-12021; Filed, August 11, 1944;
10:17 a. m.]

[Docket No. 525 et al.]

LATIN AMERICAN CASE

NOTICE OF HEARING

In the matter of the applications for certificates of public convenience and necessity authorizing additional air service in Mexico, Central and South America, and the Caribbean under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on September 18, 1944, at 10 a. m. (eastern war time) in the Auditorium, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiners Francis W. Brown and H. Heinrich Spang.

Dated Washington, D. C., August 10, 1944.

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-12022; Filed August 11, 1944;
10:17 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

GEORGE A. CARDEN, ET AL.

ORDER FOR AND NOTICE OF HEARING

In the matter of George A. Carden, E. H. Dederick, E. H. Dederick & H. Muhlenbrock, Fortra, Inc., and H. Muhlenbrock.

FEDERAL REGISTER, Saturday, August 12, 1944

Whereas, by Vesting Order No. 713 of January 18, 1943 (8 F.R. 1208), the Alien Property Custodian vested all of the capital stock of Fortra, Inc., a New York corporation, consisting of 63 shares of no-par value common capital stock as the property of nationals of a designated enemy country (Germany); and

Whereas, George A. Carden has filed a notice of claim, No. 622, which asserts that he is entitled to the sum of \$4,000 out of funds said to have been formerly the assets of Fortra, Inc.; E. H. Dederick has filed a notice of claim, No. 1774, which asserts that he is the owner of one-half of the said funds; Fortra, Inc. (claiming to be legally dissolved) has filed a notice of claim, No. 1775, which asserts a claim to said funds; H. Muhlenbrock has filed a notice of claim, No. 1776, which asserts that he is the owner of one-half of the said funds; and H. Muhlenbrock and E. H. Dederick have filed a notice of claim, No. 1777, which asserts that they are the owners of the said funds and said claimants assert that neither Carden, Dederick, Muhlenbrock, nor Fortra, Inc. is a national of a designated enemy country.

Now therefore, it is ordered. Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that the said claims be consolidated for hearing and that a hearing thereon be held before the Vested Property Claims Committee or any member or members thereof on Friday, August 25, 1944 at 2:30 p.m., eastern war time, at the Office of the Alien Property Custodian, 633 National Press Building, 14th and F Streets, NW, Washington, D. C., to continue thereafter at such time and place as the Committee may determine. *It is further ordered.* That copies of this notice of hearing be served by registered mail upon the claimants and upon the persons designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW, Washington, (25) D. C., on or before August 21, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

VESTED PROPERTY CLAIMS
COMMITTEE,

[SEAL] JOHN C. FITZGERALD,
Chairman.

AUGUST 11, 1944.

[F. R. Doc. 44-12078; Filed, August 11, 1944;
11:47 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[ODT Certificate S-2]

COMMON CARRIER

SUBSTITUTION OF RAIL FOR MOTOR SERVICE,
CHICAGO, ILL., TO LOS ANGELES, CALIF.

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier from Chicago, Illinois, to Los Angeles, California, by National Van Lines, Inc., a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-12024; Filed, August 11, 1944;
10:31 a. m.]

[Supp. Order ODT 20A-158]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MALDEN, MASS.,
AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F. R. 9231), a copy of which plan is attached hereto as Appendix 2, and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Malden, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered.* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with,

or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-158" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Malden Yellow Cab Co., 377 Main St., Malden, Mass.

Malden Taxi Co., 368 Cross St., Malden, Mass.

Linden Victory Cab, 181 Beach St., Malden, Mass.

Linden Taxi, 154 Main St. (Res.), Everett, Mass.

McGrath Taxi Co., 415 A Main St., Malden, Mass.

[F. R. Doc. 44-12025; Filed, August 11, 1944;
10:31 a. m.]

* Filed as part of the original order.

[Supp. Order ODT 20A-159]

CERTAIN TAXICAB OPERATORS
COORDINATED OPERATIONS IN FULTON, MO.,
AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Fulton, Missouri, so as to assure maximum utilization of their facilities; services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the

Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-159" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Thomas J. Clice, Fulton, Missouri.
Dennis Crowson, Fulton, Missouri.
Leonard S. Pugh, d/b/a 1140 Taxi, Fulton, Missouri.

Hulen, Henderson, Fulton, Missouri.
Stanley C. Creed, d/b/a 303 Taxi, Fulton, Missouri.

[F. R. Doc. 44-12026; Filed, August 11, 1944;
10:31 a. m.]

[Supp. Order ODT 20A-160]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN FRAMINGHAM,
MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Framingham, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall super-

sede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-160" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston 10, Massachusetts.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

¹ Filed as part of original document.

FEDERAL REGISTER, Saturday, August 12, 1944

APPENDIX 1

Framingham Taxi Service, 40 Pratt Street, Framingham, Mass.

Edward F. Boyle, 133 Lincoln Street, Framingham, Mass.

Michael Canavan, 44 Berry Street, Framingham, Mass.

Michael Ferrio, Eames Street, Framingham, Mass.

[F. R. Doc. 44-12027; Filed, August 11, 1944; 10:31 a. m.]

[Supp. Order ODT 20A-161]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ISHPEMING AND NEGAUNEE, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ishpeming and Negaunee, Michigan, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith; subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited repre-

sentatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Green Bay, Wisconsin, authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-161" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Green Bay, Wisconsin.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Central Taxi, 216 Jackson Street, Negaunee, Mich.

Ishpeming Cab Company, Ishpeming, Mich.

[F. R. Doc. 44-12028; Filed, August 11, 1944; 10:32 a. m.]

[Supp. Order ODT 20A-162]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE LOWELL, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Lowell, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful

prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-162" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston 10, Massachusetts.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

¹ Filed as part of the original document.

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Diamond Taxi of Lowell, Inc., Lowell Mass.
Eagle Taxi Company, Lowell, Mass.
A. & L. Taxi, Lowell, Mass.
Centralville Taxi, Lowell, Mass.
Yellow Cab Co., Lowell, Mass.

[F. R. Doc. 44-12029; Filed, August 11, 1944;
10:32 a. m.]

[Supp. Order ODT 3, Rev. 2701]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN MICHIGAN, ILLINOIS, INDIANA AND OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*; That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of serv-

ice by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Lloyd M. MacPherson, doing business as Premier Motor Transportation Company, Grand Rapids, Michigan.

Associated Truck Lines, Inc., Grand Rapids, Michigan.

[F. R. Doc. 44-12030; Filed, August 11, 1944;
10:32 a. m.]

[Supp. Order ODT 3, Rev. 275]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the

¹ Filed as part of the original document.

plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

C. E. S. Truck Lines, Inc., Crystal City, Mo.
L. A. Tucker Truck Lines, Incorporated,
Cape Girardeau, Mo.

Ben Schilli, doing business as Semo
Freightways, Perryville, Mo.
St. Marys Truck Lines, Inc., St. Marys, Mo.

[F. R. Doc. 44-12031; Filed, August 11, 1944;
10:32 a. m.]

[Supp. Order ODT 3, Rev. 278]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO. AND LOUISVILLE, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require

any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Midland Truck Lines, Inc., St. Louis, Mo.
2. Hancock Truck Lines, Inc., Evansville, Ind.
3. Hayes Freight Lines, Inc., Mattoon, Ill.
4. Yellow Transit Company (a corporation), Oklahoma City, Okla.

¹ Filed as part of the original document.

5. Killion Motor Express, Inc., Washington, Ind.
 6. Riss & Company, Inc., Kansas City, Mo.
 [F. R. Doc. 44-12032; Filed, August 11, 1944;
 10:33 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Amdt. 1 to Rev. Order 104]

FORD MOTOR CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Revised Order No. 104 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Ford Motor Company. Docket No. 3136-324.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered:*

Paragraph (c) of Revised Order No. 104 to Maximum Price Regulation 136, as amended, is amended to read as follows:

(c) In the case of a reseller who cannot establish a price under paragraph (b) because he was not in business on March 31, 1942, his maximum price shall be a total of the following:

(1) The applicable list price, f. o. b. factory, determined by the manufacturer under paragraph (a).

(2) The original equipment retail charge that the manufacturer suggested on March 31, 1942, to resellers as a charge to be made by resellers, to the applicable class of purchaser, for extra, special and optional equipment attached to the applicable truck model as original equipment.

(3) The reseller's actual transportation costs.

(4) The amount the manufacturer, in accordance with its March 31, 1942, method, charges the reseller as an allowance to cover federal excise tax and tires-weight tax, and the amount of the reseller's expense for state and local taxes assessed on the vehicle.

(5) A charge to cover the reseller's handling and delivery expense not to exceed the amount of this expense to the reseller.

This amendment shall be effective August 11, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.[F. R. Doc. 44-11996; Filed; August 10, 1944;
5:05 p. m.]

[MPR 136, Order 270]

FORD MOTOR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 270 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Ford Motor Company. Docket No. 3136-451.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered:*

(a) Ford Motor Company, Dearborn, Michigan (hereinafter called the manufacturer), may sell its Model 418T 90 HP 158" truck chassis w/ closed cab and stake body, manufactured for civilian purposes, at a price not to exceed a net wholesale price of \$839.75 and a retail list price of \$1,119.67, less all applicable discounts and other deductions which the manufacturer had in effect on March 31, 1942 to the applicable class of purchaser, plus the charges in subparagraph (1) below:

(1) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the list or established price the manufacturer had in effect on March 31, 1942 to the applicable class of purchaser for such equipment when sold as original equipment in connection with the truck model described in paragraph (a).

(ii) A charge to cover handling and delivery expense computed in accordance with the manufacturer's method in effect on March 31, 1942.

(iii) A charge to cover freight expense based on current freight rates and computed in accordance with the manufacturer's method in effect on March 31, 1942.

(b) A reseller of Ford Motor trucks may sell, delivered at his place of business, the Ford truck Model 418T 90 HP 158" truck chassis w/ closed cab and stake body, manufactured for civilian purposes, at a price not to exceed the total of the retail list price of \$1,119.67 and the applicable charges in subparagraph (1) below, less the discounts in effect on March 31, 1942 to the applicable class of purchaser.

(1) *Charges.* (i) A charge for extra, special and optional equipment attached as original equipment to the truck model described in paragraph (b) above, which shall not exceed the charge the reseller had in effect for this equipment on March 31, 1942 to the applicable class of purchaser, when sold as original equipment.

(ii) The reseller's actual transportation costs.

(iii) A charge to cover federal, state and local taxes on his purchase and sale, or delivery, of the truck model described in paragraph (b) computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge in effect on March 31, 1942 for handling and delivery.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(c) In the case of a reseller who cannot establish a price under paragraph (b) for the Ford truck Model 418T 90 HP 158" truck chassis w/ closed cab and

stake body manufactured for civilian purposes, because he was not in business on March 31, 1942, his maximum price for this truck model shall be a total of the following:

(1) The retail list price of \$1119.67.

(2) The original equipment retail charge that the manufacturer suggested on March 31, 1942 to resellers as a charge to be made by resellers, to the applicable class of purchaser, for extra, special and optional equipment attached as original equipment to the truck model described in paragraph (c).

(3) The reseller's actual transportation costs.

(4) The amount the manufacturer, in accordance with its March 31, 1942 method, charges the reseller as an allowance to cover federal excise tax and tires-weight tax, and the amount of the reseller's expense for state and local taxes assessed on the vehicle.

(5) A charge to cover the reseller's handling and delivery expense not to exceed the amount of this expense to the reseller.

(d) All requests in the application not granted in this order are denied.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

Note: The manufacturer's price under paragraph (a) is for a truck model equipped with natural rubber tires, or synthetic rubber tires delivered to the manufacturer prior to April 18, 1944. Where the manufacturer has an established price, in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic rubber tires delivered to the manufacturer on and after April 18, 1944, or because of any other substantial specification change or material substitution in the truck model, the reseller may add to his price under paragraph (b) or (c) the increase in cost to him over the price he would otherwise pay under paragraph (a) plus his customary markup on such cost.

This order shall become effective August 11, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.[F. R. Doc. 44-11995; Filed, August 10, 1944;
5:05 p. m.]

[RMPR 148, Order 50]

DRESSED HOGS AND WHOLESALE PORK CUTS

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to § 1364.23 (b) of Revised Maximum Price Regulation No. 148, I find that a critical shortage of meat has occurred in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming are hereby designated a critical area, and the Regional Administrator for the Sev-

FEDERAL REGISTER, Saturday, August 12, 1944

enth Region, or any District Director authorized by him, may in writing authorize sellers to charge and receive for dressed hogs and wholesale pork cuts sold to buyers in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, the actual added cost of transportation in addition to the applicable maximum price. Before giving such written authorization to any seller, the Regional Administrator, or the District Director authorized by him, shall determine the actual added cost of transportation as follows. He shall ascertain the method of transportation which the seller proposes to use in transporting meat to the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming and the costs of such transportation. To the extent that these costs exceed the difference between the maximum f. o. b. shipping point prices at the point where the shipment originates and the maximum delivered prices in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, there is an actual added cost of transportation which may be charged in addition to the applicable maximum delivered price at the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming.

This designation shall remain in effect until revoked.

This order may be amended or revoked at any time.

This order shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11992; Filed, August 10, 1944;
5:04 p. m.]

[RMPR 169, Order 45]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to § 1364.405 (b) of Revised Maximum Price Regulation No. 169, I find that a critical shortage of meat has occurred in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming are hereby designated a critical area, and the Regional Administrator for the Seventh Region, or any District Director authorized by him, may in writing authorize sellers to charge and receive for beef and veal carcasses and wholesale cuts sold to buyers in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, the actual added cost of transportation in addition

to the applicable maximum price. Before giving such written authorization to any seller, the Regional Administrator, or the District Director authorized by him shall determine the actual added cost of transportation as follows: He shall ascertain the method of transportation which the seller proposes to use in transporting meat to the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming and the costs of such transportation. To the extent that these costs exceed the difference between the maximum f. o. b. shipping point prices at the point where the shipment originates and the maximum delivered prices in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, there is an actual added cost of transportation which may be charged in addition to the applicable maximum delivered price at the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming.

This designation shall remain in effect until revoked.

This order may be amended or revoked at any time.

This order shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11993; Filed, August 10, 1944;
5:04 p. m.]

[RMPR 239, Order 7]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to § 1364.155 (b) of Revised Maximum Price Regulation No. 239, I find that a critical shortage of meat has occurred in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming are hereby designated a critical area, and the Regional Administrator for the Seventh Region, or any District Director authorized by him, may in writing authorize sellers to charge and receive for lamb and mutton carcasses and wholesale cuts sold to buyers in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, the actual added cost of transportation in addition of the applicable maximum price. Before giving such written authorization to any seller, the Regional Administrator, or the District Director authorized by him, shall determine the actual added cost of transportation as follows. He shall ascertain the method of transportation which the seller pro-

poses to use in transporting meat to the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming and the costs of such transportation. To the extent that these costs exceed the difference between the maximum f. o. b. shipping point prices at the point where the shipment originates and the maximum delivered prices in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, there is an actual added cost of transportation which may be charged in addition to the applicable maximum delivered price at the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming.

This designation shall remain in effect until revoked.

This order may be amended or revoked at any time.

This order shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11994; Filed, August 10, 1944;
5:04 p. m.]

[MPR 64, Order 150, Amdt. 1]

KEHM CORPORATION

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. 150 under Maximum Price Regulation No. 64 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The Kehm Corporation, 135 South LaSalle Street, Chicago, Illinois, may sell, and deliver the new model No. KFC-60-2 coal heater with electric fan attachment which it manufactures at prices no higher than the following:

	Maximum price for sales in the metropolitan Chicago area	Maximum prices in all areas other than metropolitan Chicago area
To distributors.....	\$64.00	\$65.25
To the building trade.....	71.00	72.25

These prices are f.o.b. factory, and are subject to terms, discounts, and allowances and other price differentials in effect during the base period January 15-June 1, 1941, on sales by the manufacturer.

2. Paragraph (b) is amended by deleting therefrom the separate price for the Metropolitan Chicago area.

3. Paragraph (c) is amended by deleting therefrom the separate price for the Metropolitan Chicago area.

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective on the 12th day of August 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12063; Filed, August 11, 1944;
11:39 a. m.]

[MPR 136, Order 273]

F. X. HOOPER CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 273 Under Maximum Price Regulation 136, as amended. Machines and Parts, and Machinery Services. F. X. Hooper Company, Inc., Docket No. 3136-464.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, it is ordered:

(a) The maximum prices for sales of the five groups of paper container making machinery listed below by the F. X. Hooper Company, Inc., Glenarm, Maryland, shall be determined by multiplying its maximum net price in effect to a purchaser of the same class just prior to the issuance of this order, by the applicable percentage set forth below:

Groups of items:	Percentage
Corrugators and component machines	15
Slitters and scorers	15
Wood printers	11
Partition slotters	14
Printer slotters	15

(b) Resellers of the wood printers manufactured by the F. X. Hooper Company, Inc., shall determine their maximum prices by adding to the net price they had in effect to a purchaser of the same class on October 1, 1941, the dollar amount by which the reseller's cost has been increased due to the adjustment in maximum prices granted to the F. X. Hooper Company, Inc., by this order.

(c) The F. X. Hooper Company, Inc., shall notify those customers, who purchase wood printers from it for resale, of the amount by which this order permits resellers to increase their maximum net prices.

(d) All requests not granted herein are denied.

This order may be revoked or amended by the Administrator at any time.

This order shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12062; Filed, August 11, 1944;
11:39 a. m.]

[MPR 188, Order 2080]

KRAFT TEXTILES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; It is ordered:

(a) Kraft Textiles, Inc., 219 Washington Square, Syracuse, New York, may sell and deliver the cotton braided rug of its manufacture, as described in its application, at prices no higher than the following:

Article	Maximum prices
9' x 12' Cotton braided rug	\$39.40 each
Other sizes	\$0.361 sq. ft.

These maximum prices are f. o. b. factory and are subject to a cash discount of five percent for payment within ten days. Discounts to selling agents from the above price, 20 percent.

(b) Any person, other than Kraft Textiles, Inc., may sell and deliver to retailers the cotton braided rug manufactured by Kraft Textiles, Inc., at maximum prices no higher than the following:

Article	Size	Maximum price to re-tailers	
		Without fringe	With fringe
Cotton braided rug	20 x 36 inches	\$1.75	\$2.30
Cotton braided rug	24 x 42 inches	2.40	3.05
Cotton braided rug	2 x 2 feet	1.35	1.80
Cotton braided rug	27 x 48 inches	3.10	3.80
Cotton braided rug	27 x 27 inches	1.75	2.25
Cotton braided rug	3 x 3 feet	3.10	3.75
Cotton braided rug	3 x 5 feet	5.20	6.05
Cotton braided rug	4 x 4 feet	5.50	6.35
Cotton braided rug	4 x 7 feet	9.65	10.85
Cotton braided rug	5 x 5 feet	8.60	9.65
Cotton braided rug	6 x 6 feet	12.40	13.60
Cotton braided rug	6 x 7½ feet	15.50	16.90
Cotton braided rug	6 x 9 feet	18.60	20.20
Cotton braided rug	8 x 8 feet	22.05	23.65
Cotton braided rug	8 x 10 feet	27.55	29.45
Cotton braided rug	9 x 9 feet	27.90	29.75
Cotton braided rug	9 x 12 feet	37.20	39.40
Cotton braided rug	Other sizes	\$0.361 sq. ft.	

These maximum prices are f. o. b. factory and are subject to a cash discount of five percent for payment within ten days.

(c) At the time of or prior to the first invoice to each purchaser for resale, Kraft Textiles, Inc., shall notify the purchaser for resale of the maximum prices and conditions set by this Order No. 2080 for resales by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 2080 may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12059; Filed, August 11, 1944;
11:39 a. m.]

[MPR 188, Order 2081]

STAR TABLE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2081 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of kitchen tables manufactured by Star Table Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of three items of kitchen tables manufactured by Star Table Co., 630 De Kalb Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Kitchen table	630	Each \$5.26	Each \$6.19
	631	6.59	7.75
	632	7.90	9.29

These prices are f. o. b. factory, and subject to a cash discount of two percent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499-158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

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Article	Model No.	Maximum price to retailers
Kitchen table.....	630	Each \$6.19
	631	7.75
	632	9.29

These prices are subject to a cash discount of two percent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of August 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12060; Filed, August 11, 1944;
11:40 a. m.]

[MPR 188, Order 2077]

NATIONAL PRESSURE COOKER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2077 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a can sealer manufactured by National Pressure Cooker Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for all sales and deliveries of a can sealer manufactured by National Pressure Cooker Company, Eau Claire, Wisconsin, and described in a letter from the manufacturer dated May 13, 1944.

(1) *Manufacturers' prices.* On and after August 12, 1944, the maximum price for the sales and deliveries of the can sealer described in a letter dated May 13, 1944, to jobbers by the National Pressure Cooker Company, Eau Claire, Wisconsin, shall be \$8.10 per unit, f. o. b. Eau Claire, Wisconsin, subject to discounts, allowances, and terms no less favorable than those customarily granted by it.

(2) *Jobbers' prices.* If you are a jobber, your maximum prices for all sales and deliveries of the can sealer described in (1) above, which is delivered to you by the manufacturer on or after August 12, 1944, shall be the prices set forth below, f. o. b. your warehouse, subject to discounts, allowances, and terms no less favorable than those customarily granted by you:

	Per unit
In the Eastern Zone.....	\$10.68
In the Western Zone.....	11.35

(3) *Dealers' prices.* If you are a dealer your maximum prices for all sales and deliveries of the can sealer described in (1) above, delivered by the manufacturer on and after August 12, 1944, shall be the prices set forth below:

	Per unit
In the Eastern Zone.....	\$15.50
In the Western Zone.....	16.50

(b) *Tagging.* On each can sealer shipped to a purchaser for resale, after August 11, 1944, the manufacturer shall attach a tag or label which plainly states the retail ceiling price. This tag may not be removed until the can sealer has been delivered to the ultimate consumer. A tag in the following form will be sufficient:

Retail Ceiling Price.....	\$15.50
In Western Zone.....	16.50

(c) *Notification by the manufacturer.* The National Pressure Cooker Company, at the time it sends its first invoice to each jobber after August 11, 1944, must send to each jobber a written notice setting forth the maximum price for sales by that jobber. The manufacturer must also notify each jobber that he is required to notify each dealer of the retail ceiling price established by this order. This written notice may be given in any convenient form.

(d) *Notification by jobbers.* If you are a jobber at the time of your first invoice to each retailer after August 11, 1944, you must notify each retailer in writing of the retail price established by this order. This written notice may be given in any convenient form.

(e) The Western Zone includes the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, and Reeves. The Eastern Zone includes all other parts of the United States.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions contained in § 1499.20 of General Maximum Price Regulation shall apply to all terms used herein.

This Order No. 2077 shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12057; Filed, August 11, 1944;
11:41 a. m.]

[MPR 188, Order 2079]

J. B. HOLMES

APPROVAL OF MAXIMUM PRICES

Order No. 2079 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished lawn chair manufactured by J. B. Holmes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of an unfinished lawn chair manufactured by J. B. Holmes, Whitehaven, Tennessee.

(1) (a) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below.

Article	Model No.	Maximum price to persons other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Lawn chair.....		Per unit \$1.36	Per unit \$1.60

These prices are net f. o. b. factory.

(b) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (a) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (a) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers
Lawn chair.....	\$1.60 per unit

(b) For all sales and deliveries by persons who sell from the manufacturer's

stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of August 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12058; Filed, August 11, 1944;
11:40 a. m.]

[MPR 136, Rev. Order 223]

NEW YORK CAR WHEEL CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 223 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. New York Car Wheel Company, Docket No. 3136-405.

Order No. 223 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 223, and is revised and amended to read as follows:

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum conversion charge that may be made by the New York Car Wheel Company, Buffalo, New York, when a manufacturer furnishes new railroad wheels in exchange for scrap railroad wheels of the same tonnage, shall be \$1.10 per cwt. The maximum price for sales of railroad car wheels by the New York Car Wheel Company, Buffalo, New York, shall be \$2.26 per cwt.

(b) This paragraph is applicable to sales by the American Car and Foundry Company, New York, New York, of railroad wheels which have been manufactured by the New York Car Wheel Company, Buffalo, New York. The maximum conversion charge that may be made by the American Car and Foundry Company when it furnishes such new railroad wheels in exchange for scrap railroad wheels of the same tonnage, shall be \$1.10 per cwt. The maximum price for sales of such railroad car wheels by the American Car and Foundry Company shall be \$2.26 per cwt.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12061; Filed, August 11, 1944;
11:40 a. m.]

[Region I Order G-2 Under MPR 154]

ICE IN BARNSTABLE COUNTY, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in the County of Barnstable, State of Massachusetts, are modified so that the maximum prices therefor shall be as follows:

Type of sale:	Maximum price per cwt.
Retail delivered sale	\$0.90
Quantity delivered sale	.80
Retail platform sale	.70

(b) The maximum prices for sales and deliveries of ice in Barnstable County other than those specified in the above schedule in paragraph (a) of this order shall be those established under Maximum Price Regulation No. 154 or Region I Order No. G-1 under Maximum Price Regulation No. 154, whichever are higher.

(c) As used in this order, the term:

(1) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business) except that the term does not include a "quantity delivered sale."

(2) "Retail platform sale" means a sale of less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

(3) "Quantity delivered sale" means a sale of at least 100 pounds of ice to a purchaser who customarily purchases from such seller at least 300 pounds per week, delivered to the purchaser's receiving point (other than the seller's place of business).

(d) Prices lower than those established by this order may be charged, offered, demanded or paid.

(e) On or before August 1, 1944, each seller, one or more of whose maximum prices have been increased by this order, shall post his increased maximum prices in the following manner: In the case of a "retail delivered sale" or "quantity delivered sale," by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser; in the case of a "retail platform sale" by posting in his place of business, in a place and manner plainly visible to the purchaser, a placard or card setting forth such maximum price.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective July 1, 1944, and terminate on January 1, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

FRANK D. O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 44-11984; Filed, August 10, 1944;
1:57 p. m.]

[Region I Order G-3 Under MPR 154]

ICE IN MARTHA'S VINEYARD, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in Martha's Vineyard, Massachusetts, are modified so that the maximum prices therefor shall be as follows:

Type of sale:	Maximum price per cwt.
Retail delivered sale	\$1.10
Quantity delivered sale	.70
Retail platform sale	.80

* For sales in one delivery of 300 pounds or more.

* For sales of less than 300 pounds in one delivery.

(b) The maximum prices for sales and deliveries of ice in Barnstable County other than those specified in the above schedule in paragraph (a) of this order shall be those established under Maximum Price Regulation No. 154, or Region I Order No. G-1 under Maximum Price Regulation No. 154, whichever are higher.

(c) As used in this order, the term:

(1) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business) except that the term does not include a "quantity delivered sale."

(2) "Retail platform sale" means a sale of less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

(3) "Quantity delivered sale" means a sale of at least 100 pounds of ice to a purchaser who customarily purchases from such seller at least 300 pounds per week, delivered to the purchaser's receiving point (other than the seller's place of business).

(d) Prices lower than those established by this order may be charged, offered, demanded or paid.

(e) On or before August 1, 1944, each seller, one or more of whose maximum prices have been increased by this order, shall post his increased maximum prices in the following manner: In the case of a "retail delivered sale" or "quan-

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“*ity delivered sale*,” by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser; in the case of a “*retail platform sale*” by posting in his place of business, in a place and manner plainly visible to the purchaser, a placard or card setting forth such maximum price.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective July 1, 1944, and terminate January 1, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June, 1944.

FRANK D. O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 44-11985; Filed, August 10, 1944;
1:57 p. m.]

[Region I Order G-3 Under MPR 154,
Correction]

ICE IN MARTHA'S VINEYARD, MASS.

Paragraph (b) is corrected so that the words “Barnstable County” in the first line of said paragraph shall read “Martha's Vineyard.”

This correction shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of July, 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11983; Filed, August 10, 1944;
1:57 p. m.]

[Region I Order G-3 Under MPR 154,
Amtd. 1]

ICE IN MARTHA'S VINEYARD, MASS.

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-3 under Maximum Price Regulation No. 154 is amended in the following respect:

1. Paragraph (a) is amended to read as follows:

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in Martha's Vineyard, Massachusetts, are modified so that the maximum prices therefor shall be as follows:

Type of sale:	Maximum price per cwt.
Retail Delivered Sale.....	\$1.10
Quantity Delivered Sale.....	.85
	.90
Retail Platform Sale.....	.90

¹ For sales of 300 pounds or more in one delivery.

² For sales of less than 300 pounds in one delivery.

This amendment to Order No. G-3 shall become effective July 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of July 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11982; Filed, August 10, 1944;
1:56 p. m.]

[Albany Order 1 Under Restaurant MPR 2]
POSTING REQUIREMENTS IN ALBANY, N. Y.,
DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Albany District office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2; it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(A) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(B) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(C) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(D) List a la carte items first. In listing meals, list the entree and then indicate the type of meal; for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(E) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(F) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SECTION 2. *Filing of list of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated by the owner or manager of your establishment with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for

examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Albany District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

LESTER W. HERZOG,
District Director.

APPENDIX A

Appetizer:

1. Tomato juice.
2. Fruit cocktail.
3. Oysters on half shell.
4. Clams on half shell.

Soup:

5. Soup du jour.

Fish entrees:

6. Filet of sole.

Meat entrees:

7. Liver and bacon.
8. Pork chop.
9. Hamburger steak.
10. Roast beef.
11. Roast pork.
12. Lamb stew.
13. Chicken, broiled or fried.
14. Roast lamb.
15. Roast turkey.
16. Virginia ham.
17. Cold cuts and salad.
18. Hot meat sandwiches.
19. Hot poultry sandwiches.

Sandwiches:

20. Ham.
21. Ham and egg.
22. American cheese.
23. Cream cheese and jelly.
24. Lettuce and tomato.
25. Hamburger.
26. Ham and cheese.
27. Hot meat sandwich.

Salads:

28. Fruit.
29. Shrimp.
30. Chicken.
31. Vegetable.

Miscellaneous:

32. Vegetable plate.

Desserts:
 33. Apple pie.
 34. Ice cream.
 35. Layer cake.
 36. Rice pudding.
 37. Jello.

Beverages:
 38. Coffee (cup or pot).
 39. Tea (cup or pot).
 40. Milk (half pint).

[F. R. Doc. 44-11980; Filed, August 10, 1944;
 1:55 p. m.]

[District of Columbia Order 1 Under
 Restaurant MPR 2]

POSTING REQUIREMENTS IN DISTRICT OF COLUMBIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the District of Columbia District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) (1) Some of the items you may be selling either as an a la carte item or as an entree as part of a meal (for example, pork chops as a single dish, or pork chops with one or more side dishes). If so, you may, if you prefer, list the item either as a table d'hoje item or as an a la carte item (for example, you may list "pork chops with two vegetables and beverage" instead of just "pork chops.")

(2) If you list any a la carte items, put them at the head of your list.

(3) In listing meals, list the entree and then indicate the type of meal (for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon).

(4) Some items in Appendix A are marked with an asterisk. These are group items. If all items within the group do not have the same ceiling price, you must list whatever particular item in the group is most frequently served by you, instead of listing the group (for example, instead of "baked bean dishes," you should list "pork and beans" or "frankfurters and beans" or "ham and

beans," etc., depending upon the item that is most frequently served by you).

(e) All prices to be put on the poster are to be week-day prices. If the prices do not prevail on Sundays, the poster should bear a notation such as: "These prices in effect daily except Sunday."

(f) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(g) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this Order extend to all eating and drinking establishments located within the District of Columbia District of the Office of Price Administration.

SEC. 5. Exceptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ROBERT K. THOMPSON,
 District Director.

APPENDIX A

Appetizer:
 Tomato or fruit juice.¹

Soup:
 Soup.¹

Egg dishes:
 Two eggs.¹

Fish entrees:
 Fried Filet of sole.
 Broiled fish.¹

Miscellaneous:
 Waffles or hot cakes and syrup.
 Spaghetti or macaroni.

Baked bean dishes.¹

Vegetable plate.

Meat entrees:
 Liver and bacon.

Pork chop(s).

Hamburger steak.

Roast beef.

Roast pork or ham.¹

Corned beef hash or any meat hash.¹

Lamb stew or any meat stew.¹

Chicken, broiled or fried.¹

Lamb chop(s).¹

Tenderloin steak.

Minute sirloin steak.

Veal cutlet.

Roast lamb.

Roast veal.

Cold cuts and salad.

Boiled meats—corned beef, New England dinner, etc.¹

Poultry or meat pies.¹

Hot meat sandwiches.¹

Sandwiches:
 Ham.

American cheese.

Lettuce and tomato.

Hamburger.

Frankfurter (hot dog).

Salads:
 Combination.

Fruit.

Chicken.

Desserts:
 Pie.¹

Ice cream or sherbet.¹

Beverages:
 Hot coffee (cup or pot).

Milk (half pint).

Meals:
 Club Breakfast—selected fruit, toast and coffee.

[F. R. Doc. 44-11979; Filed, August 10, 1944;
 1:54 p. m.]

[Twin Cities Order 1, Under Restaurant
 MPR 2]

POSTING REQUIREMENTS IN TWIN CITIES, MINN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Twin Cities District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in

¹ Specify most popular variety if all items in the group do not have the same ceiling price.

Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List à la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Twin Cities District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions

of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

SEC. 6. Appendix A. If you own or operate an eating or drinking establishment located within the Twin Cities District of the Office of Price Administration, you must post and submit a list, as required by sections 1 and 2 of this Posting Order, to your local War Price and Rationing Board of the following items and your ceiling prices for each item:

FOOD ITEM OR MEAL

A. Breakfast and à la carte items:

1. Orange juice.
2. Tomato juice.
3. Cereal (hot or cold).
4. 2 eggs (any style).
5. Toast.
6. Sweet roll—Doughnuts.
7. Wheat cakes.
8. Ham or bacon.

B. Entrees—lunch and dinner items:

9. Vegetable soup.
10. Steaks (T-bone, tenderloin, sirloin or club).
11. Hamburger steak.
12. Roast beef (and/or) roast pork.
13. Pork chops.
14. Spare ribs (barbecue).
15. Beef stew.
16. Meat loaf.
17. Ham or bacon and eggs.
18. Liver and bacon.
19. Fried chicken.
20. Fish (pike, etc.).
21. Chow mein.

C. Desserts:

22. Apple pie.
23. Ice cream (vanilla) or sherbet.
24. Ice cream soda.
25. Ice cream sundae (chocolate).
26. Malted milk.

D. Cold sandwiches:

27. Ham.
28. Cheese.
29. Peanut butter.
30. Roast beef (and/or) pork.

E. Hot sandwiches:

31. Hamburger.
32. Fried eggs.
33. Hot beef or pork, potatoes and gravy.
34. Denver.

F. Beverages:

35. Coffee.
36. Tea.
37. Milk.

G. Miscellaneous:

38. Club breakfast—1 egg, bacon or ham, toast, coffee.
39. Plate lunch, including (list items—Example: potato, vegetable, bread and butter, beverage—determined by lunch price of entree shown in items 11 to 20 inclusive).
40. Dinner, including (list items, determined by dinner price of entree shown in items 11 to 20 inclusive).

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

HAROLD J. SLAWIK,
Acting District Director.

[F. R. Doc. 44-11981; Filed, August 10, 1944;
1:56 p. m.]

[Montana Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MONTANA DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montana District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List à la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Montana District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

A. T. PETERSON,
State Director.

APPENDIX A—LIST OF FOOD ITEMS AND MEALS FOR POSTING

Note: First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and *your ceiling prices for each*. If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item. If you do not offer as many as 40 items place on the poster all the items which you do offer and your ceiling price for each.

A la Carte

- Appetizer:**
 - Juices (tomato or fruit).
- Soup:**
 - Vegetable.
 - Tomato.
- Salads:**
 - Combination.
 - Fruit.
- Meat entrees:**
 - Pork chops.
 - Hamburger steak.
 - Prime ribs of beef.
 - Pot roast.
 - Roast pork.
 - Meat stews.
 - Veal cutlet.
 - Small steak.
 - Chicken à la king.
- Fish entrees:**
 - Halibut.
 - Salmon.
- Egg dishes:**
 - Two eggs, any style.
 - Ham or bacon and eggs.
- Sandwiches:**
 - Ham.
 - Ham and egg (or bacon and egg).
 - American cheese.
 - Tomato and bacon.
 - Hamburger.
 - Denver.

Sandwiches—Continued.

- Hot beef.
- Hot pork.
- Hot turkey.
- Miscellaneous:**
 - Hot cakes and syrup.
 - Chili.
- Desserts:**
 - Pie.
 - Ice cream.
 - Layer cake.
 - Puddings.
- Beverages:**
 - Coffee (cup or pot).
 - Tea (cup or pot).
 - Milk (half pint).

Meals

- I—Club breakfast—Fruit or cereal, toast and coffee.
- II—Club breakfast—Fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast and coffee.
- Luncheon (3 courses) Meat, fish, or omelet entrees.
- Dinner (5 courses) meat, poultry, or fish entrees.

[F. R. Doc. 44-11978; Filed, August 10, 1944;
1:54 p. m.]

[Region I Order G-4 Under MPR 154]

ICE IN PLYMOUTH, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154; *It is ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in Plymouth, Kingston, Carver, Marshfield and Duxbury, Massachusetts, are modified so that the maximum price for retail delivered sales shall be as follows:

	<i>Maximum price per cwt.</i>
Zone I.....	\$0.65
Zone II.....	.75

(b) The maximum prices for sales and deliveries of ice in Plymouth, Kingston, Carver, Marshfield and Duxbury, other than those specified in paragraph (a) above shall be those established under Maximum Price Regulation No. 154, or Region I Order No. G-1 under Maximum Price Regulation No. 154, whichever are higher.

(c) As used in this order, the term:

(1) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business).

(2) "Zone I" includes Kingston, Carver, Marshfield, Duxbury and Plymouth (except that part of Plymouth called Manomet), Massachusetts.

(3) "Zone II" includes Manomet, Massachusetts.

(d) Prices lower than those established by this order may be charged, offered, demanded or paid.

(e) On or before August 15, 1944, each seller whose maximum prices have been increased by this order, shall post his increased maximum prices for a "retail delivered sale" by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective August 5, 1944, and terminate September 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11999; Filed, August 11, 1944;
9:24 a. m.]

[Region VIII Order G-99 Under 18 (c)]

REMILARD DANDINI CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.18c of General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum price for all sales of brick, produced by Remillard Dandini Company, by any dealer located in the counties of San Francisco, Alameda or Contra Costa shall be such dealer's maximum price for such sale as calculated under the provisions of the General Maximum Price Regulation (that is, the March 1942 price for the particular sale of the particular lot and type of bricks in the particular quantity to the particular customer) plus \$2.00 per ton: *Provided, however,* That such a price may not exceed (after trade and cash discounts)

(1) For yard sales, the dealers net acquisition cost plus \$3.00; or

(2) For delivered sales, the dealers net acquisition cost, plus \$3.00 per ton and plus the dealers March 1942 differential for such delivered sales over yard sales.

(b) The adjusted maximum price for all sales of brick, produced by Remillard Dandini Company, by any dealer located in the counties of San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey or San Luis Obispo shall be such dealer's maximum price for such sale as calculated under the provisions of the General Maximum Price Regulation (that is, the March 1942 price for the particular sale of the particular lot and type of bricks in the particular quantity to the particular customer) plus \$1.00 per ton.

(c) The adjusted maximum prices herein established must reflect all of the particular dealers customary discounts and allowances.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective August 10, 1944.

Issued this 5th day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-12014; Filed, August 11, 1944;
9:25 a. m.]

FEDERAL REGISTER, Saturday, August 12, 1944

[Region I Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

NOTE: Select for your poster those food items or meals meeting the general descriptions in Appendix A even if the list in Appendix A does not describe the food items and meals exactly as they are described in your base period menus and price lists. *Example 1.* Under No. 14 you will find "Spaghetti with meat sauce." If your most popular offering on your base period menu or price list was "Spaghetti with tomato sauce" so list it on your poster. *Example 2.* No. 13 is "Hot meat sandwich, potato." If your most popular offering on your base period menu or price list was "Hot roast beef sandwich, potato," use that description on your poster. *Example 3.* No. 16 is "Pot roast, two vegetables." If you prefer to list this item as "Pot roast, potato and vegetable," describe it that way on your poster.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner

or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Commonwealth of Massachusetts.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.
 (56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

WILLIAM E. HALE,
 Acting Regional Administrator.

APPENDIX A

List of 40 basic meals and food items

1. Tomato juice.
2. Fruit cup.
3. Cereal.
4. Two eggs, any style.
5. Ham and two eggs.
6. Coffee.
7. Tea.
8. Milk.
9. Vegetable soup.
10. Fish chowder.
11. Hamburger plate.
12. Frankfurters and potato salad.
13. Hot meat sandwich, potato.
14. Spaghetti with meat sauce.
15. Meat pie.
16. Pot roast, two vegetables.
17. Liver and bacon.
18. Pork chop, two vegetables.
19. Baked beans.
20. Vegetable plate.
21. Chicken salad.
22. Scrod, two vegetables.
23. Fillet of sole, two vegetables.
24. Mackerel, two vegetables.
25. Ham sandwich.

26. Fried egg sandwich.
27. American cheese sandwich.
28. Ham and American cheese sandwich.
29. Hamburger sandwich.
30. Lettuce and tomato sandwich.
31. Tuna fish salad sandwich.
32. Apple pie.
33. Ice cream.
34. Pudding.
35. Breakfast: Juice, toast, coffee.
36. Breakfast: Juice, bacon, one egg, toast, coffee.
37. Beef stew luncheon with dessert and beverage.
38. Mackerel luncheon with soup, two vegetables, dessert, and beverage.
39. Chicken dinner with soup, two vegetables, dessert and beverage.
40. Scrod dinner with soup, two vegetables, dessert and beverage.

[F. R. Doc. 44-11997; Filed, August 11, 1944; 9:22 a.m.]

[Buffalo Order 1 Under Restaurant MPR 2]
 POSTING REQUIREMENTS IN BUFFALO, N. Y., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Buffalo, New York District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling prices for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items, meals and beverages to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local

War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this Order extend to all eating and drinking establishments located within the Buffalo, New York District Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

THOMAS J. REESE,
District Director.

APPENDIX A

List of 40 basic items for the Buffalo District of the Office of Price Administration, as selected by the Buffalo District Restaurant Council and as authorized by the Buffalo District Director under section 16 (c) of Restaurant MPR 2:

Appetizer:

Tomato or fruit juice.

Soup:

Soup.

Egg dishes:

Ham and eggs.

Fish entrees:

Fried fish.

Miscellaneous:

Hot cakes and syrup.

Baked spaghetti or macaroni.

Vegetable plate.

Cereals—hot or cold.

Croquettes.

Meat entrees:

- Liver and bacon.
- Pork chop.
- Hamburger steak.
- Roast beef.
- Corned beef hash or any meat hash.
- Lamb stew or any meat stew.
- Chicken—broiled or fried.
- Cube steak.
- Ham.
- Chicken a la king.
- Boiled meats—Corned beef, N. Eng. dinner, etc.
- Meat loaf.

Sandwiches:

- Ham.
- Ham and egg (or bacon and egg).
- American cheese.
- Lettuce and tomato.
- Hamburger.
- Fish salad.
- Hot meat sandwich.
- Frankfurter & roll (hot dog).
- Chicken sandwich.

Salads:

- Combination or chef.

Desserts:

- Apple pie.
- Ice cream.
- Jello.

Beverages:

- Coffee (cup or pot).
- Milk (size served).
- Ice cream soda.

Meals:

- Club breakfast—Fruit or juice, toast or rolls and coffee.
- Luncheon—3 course.
- Dinner—4 or 5 courses.

[F. R. Doc. 44-12001; Filed, August 11, 1944;
9:26 a. m.]

[Region II Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then

indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the area formerly known as the New York District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX A

40 basic items

Hot coffee—per cup.

Hot tea—per cup.

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Milk—per half pint.
 Tomato juice.
 Fruit cocktail.
 Vegetable soup.
 Bacon and (2) eggs.
 Two eggs, any style.
 Filet of sole and 2 vegetables.
 Broiled mackerel and 2 vegetables.
 Fish cakes and spaghetti.
 Hot cakes and syrup.
 Baked macaroni.
 Pork and beans.
 Vegetable plate.
 Dry cereal.
 Liver and bacon.
 Pork chop and 2 vegetables.
 Hamburger steak and 2 vegetables.
 Roast beef and 2 vegetables.
 Roast pork and 2 vegetables.
 Corned beef hash.
 Lamb stew.
 Broiled chicken and 2 vegetables.
 Ham sandwich.
 Ham and egg sandwich.
 American cheese sandwich.
 Cream cheese and jelly sandwich.
 Lettuce and tomato sandwich.
 Hamburger sandwich.
 Ham and cheese sandwich.
 Tuna fish salad sandwich.
 Hot roast beef sandwich.
 Combination salad.
 Fruit salad.
 Apple pie.
 Ice cream.
 Breakfast—fruit, toast and coffee.
 Beef stew luncheon (3 course).
 Chicken dinner (5 course).

[F. R. Doc. 44-12002; Filed, August 11, 1944;
 9:27 a. m.]

[Grand Rapids Order 1 Under Restaurant
 MPR 2]

**POSTING REQUIREMENTS IN GRAND RAPIDS,
 MICH., DISTRICT**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Grand Rapids District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak

dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Grand Rapids District of the Office of Price Administration, which is comprised of the following counties in the State of Michigan: Allegan, Antrim, Barry, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Emmet, Grand Traverse, Ionia, Kalamazoo, Kalkaska, Kent, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, St. Joseph, Van Buren and Wexford.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 5681)

Issued this 2d day of August 1944.

JACOB ZWEEDYK,
 District Director.

APPENDIX A—LIST OF FOOD ITEMS AND MEALS

Table I

1. Orange juice.
2. Fruit cocktail or cup.
3. Shrimp cocktail.
4. Dry cereal with milk.
5. Bacon and eggs, or ham and eggs.
6. 2 eggs, any style.
7. Toast.
8. Griddle cakes.
9. Soup (State "all" or "home-made" or "canned" or "dujour").
10. Steak (state kind).
11. Roast beef.
12. Hamburger steak.
13. Roast veal.
14. Roast pork.
15. Pork chops.
16. Roast lamb.
17. Meat pie.
18. Beef stew.
19. Liver, or liver and bacon, or liver and onions.
20. Chicken pie.
21. Chicken (state style).
22. Fish—trout or whitefish.
23. Fried oysters.
24. Spaghetti (state sauce).
25. Baked beans.
26. Vegetable plate.
27. Chop suey.
28. Tuna salad or chicken salad.
29. Head lettuce salad.
30. Peas, or corn, or string beans.
31. Pie.
32. Gelatin dessert.
33. Ice-cream.
34. Malted milk.
35. Ham sandwich (state "boiled", "baked", etc.).
36. Cheese sandwich.
37. Hamburger sandwich.
38. Hot meat sandwich (pork, or beef).
39. Coffee.
40. Milk.

[F. R. Doc. 44-12003; Filed, August 11, 1944;
 9:25 a. m.]

[Indianapolis Order 1 Under Restaurant
 MPR 2]

**POSTING REQUIREMENTS IN INDIANAPOLIS,
 IND., DISTRICT**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Indianapolis District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A.

Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List à la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Indianapolis District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871

and E.O. 9328, 8 F.R. 4681; Gen. Order No. 50, 8 F.R. 4808)

Issued this 31st day of July 1944.

JAMES D. STRICKLAND,
District Director.

APPENDIX A

If you operate an eating or drinking establishment, you must post and submit the list as required by sections 1 and 2 of this posting order to your Local War Price and Rationing Board, of the following items and your ceiling prices therefor:

Food Item or Meal

- # 1. Orange juice.
- # 2. Tomato juice.
- 3. One-half grapefruit.
- 4. Vegetable soup.
- 5. Tomato soup.
- 6. Bacon and eggs.
- 7. Two eggs—Fried.
- 8. Fried haddock.
- * 9. Roast beef.
- * 10. Pork Chops.
- * 11. Roast pork.
- * 12. Liver and bacon.
- 13. Boiled ham sandwich.
- 14. Sliced chicken sandwich.
- 15. American cheese sandwich.
- 16. Hamburger sandwich.
- 17. Hot Roast beef sandwich.
- 18. Fruit salad.
- 19. Potato salad.
- 20. Combination salad.
- 21. Apple pie.
- # 22. Ice Cream.
- 23. Cake.
- 24. Gelatine.
- 25. Pudding.
- 26. Hot cakes and syrup.
- 27. Waffles and syrup.
- 28. Baked beans.
- 29. Peas.
- 30. Green beans.
- 31. Spinach.
- 32. Lima beans.
- 33. Baked spaghetti or macaroni.
- 34. Club breakfast—fruit juice, toast and coffee.
- 35. Club breakfast—Cereal, toast and coffee.
- 36. Club breakfast—Fruit or cereal, 2 eggs, or 1 egg with ham or bacon, toast and coffee.
- 37. Dry cereal with cream.
- # 38. Hot coffee.
- # 39. Tea.
- # 40. Milk.

#With respect to items marked with an (#), you should list on the same line the type or size of the container and the price for each size or type which you use in serving the item. For example: If you serve vegetable soup in a cup and also in a bowl, your poster should read for Item 4 as follows: Vegetable soup.—Cup, 10¢; bowl, 15¢.

If you serve hot coffee both by the cup and by the pot, your listing for that item would be as follows: Hot coffee—Cup, 5¢; pot, 10¢.

*With respect to all items marked *, you should indicate the à la carte price if you serve it à la carte. If you serve the item as a part of a luncheon then you should also indicate the price of the luncheon. If you serve the item as a part of a dinner, you should also indicate the price of the dinner. Example: If you serve roast beef à la carte at 25 cents; as an entree with a luncheon at 75 cents and as an entree with a dinner at \$1.00, then on the same line of the poster, you would make the following listing: Roast beef—à la carte, 25¢; Luncheon, 75¢ Dinner, \$1.00.

[Atlanta Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First, list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List à la carte items first. In listing meals, list the entrees and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly

FEDERAL REGISTER, Saturday, August 12, 1944

soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Atlanta District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2, are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

E. A. THORNWELL,
District Director.

APPENDIX A

Additional tables of basic food items may from time to time be added to this appendix by amendment.

TABLE I. BASIC FOOD ITEMS, MEALS, AND BEVERAGES

If you operate an eating or drinking establishment, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following food items, meals and beverages and your ceiling prices therefor:

1. Coffee.
2. Sweet milk.
3. Iced tea.
4. Shrimp cocktail.
5. Vegetable soup.
6. Corn flakes with cream.
7. Two fried eggs.
8. Two fried eggs with bacon.
9. Two fried eggs with ham.
10. Ham sandwich.
11. Barbecue sandwich.
12. Hamburger sandwich.
13. Weiner sandwich.
14. Chicken salad.
15. Potato salad.
16. Shrimp salad.
17. Apple pie.
18. Ice cream.
19. Combination breakfast consisting of one egg, fried bacon, grits, toast and coffee.
20. Fried fillet of haddock lunch.
21. Mackerel lunch.
22. Fried shrimp dinner.
23. Baked red snapper dinner.
24. Tricot lunch.
25. Deviled crab lunch.
26. Roast prime rib of beef dinner.
27. Hamburger steak lunch.
28. Country fried steak dinner.
29. Liver and bacon dinner.
30. Pork chop (1) lunch.
31. Boneless sirloin steak dinner.
32. Tenderloin steak dinner.
33. Lamb chop (1) dinner.
34. Veal cutlet (1) lunch.

25. Roast leg o' lamb dinner.
36. Baked ham lunch.
37. Roast pork lunch.
38. Fried chicken lunch.
39. Vegetable plate lunch.
40. Roast turkey and dressing dinner.

[F. R. Doc. 44-12009; Filed, August 11, 1944;
9:21 a.m.]

[Memphis Order G-1 Under Restaurant
MPR 2]

POSTING REQUIREMENTS IN MEMPHIS,
TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Memphis District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First, list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on

one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the posters are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Memphis District of the Office of Price Administration.

SEC. 5. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order G-1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

W. C. MANLEY, Jr.,
District Director.

APPENDIX A

LIST 1

Appetizers:

Tomato juice.

Fruit cocktail.

Soups:

Chicken broth.

Vegetable soup.

Oyster stew.

Entrees:

Fried fillet of haddock.

Broiled Spanish mackerel.

Baked lake trout.

Roast beef.

Roast chicken.

Club steak.

Lamb chops (2).

Fried chicken.

Calf liver.

Ham and eggs.

Sandwiches:

Ham.

Hamburger.

Hot roast beef.

Vegetables:

Green peas.

Stewed tomatoes.

French-fried potatoes.

Salads:

Fruit.

Shrimp.

Combination.

Lettuce and tomato.

Desserts:
Apple pie.
Ice cream.
Layer cake.
Baked apple.
Jello.

Cereal:
Oat meal.
Corn flakes.

Drinks:
Coffee.
Milk.
Tea.

Breakfast No. 1
Fruit, toast, coffee.

Breakfast No. 2
Fruit, 1 egg, ham or bacon.
Toast, coffee.

Luncheon:

Three course plate lunch

Chicken a la king, 2 vegetables, salad or dessert, drink.

Five course lunch

Appetizer, baked ham, 2 vegetables, salad, dessert, drink.

Dinner:

Appetizer, soups, steak (club), 2 vegetables, salad, dessert, drink.

LIST 2

Soup:

Vegetable soup.

Entrees:

Two eggs, any style.
Two eggs, with bacon, ham or sausage.

Fried trout.

Baked trout.

Roast beef.

Baked ham.

Beef stew.

Veal cutlet.

Fried chicken.

Cold cuts and salad.

Sandwiches:

Hot beef.

American cheese.

Combination meat and cheese.

Sliced chicken.

Steak sandwich.

Bacon, lettuce, and tomato.

Frankfurter.

Hamburger.

Corned beef.

Salad:

Combination (chicken, ham, fish).

Desserts:

Apple pie.

Ice cream.

Layer cake.

Rice pudding.

Cereal:

Hot or cold.

Drinks:

Coffee.

Milk.

Tea.

Fruit juice.

Ice cream soda.

Breakfast:

Fruit, toast, coffee.

Luncheons:

Roast beef plate, 2 vegetables, bread and drink.

Vegetable plate—three vegetables, dessert and drink.

Dinner—(five courses):

Soup or appetizer, meat and vegetable, salad, dessert, drink.

Miscellaneous

Hot cakes—syrup and butter.

Waffles—syrup and butter.

Spaghetti (macaroni).

Chili con carne (chili mac).

Baked beans.

[F. R. Doc. 44-12010; Filed, August 11, 1944;
9:20 a. m.]

[Arkansas Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ARKANSAS DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Arkansas District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Arkansas District of the Office of Price Administration, except those establishments covered by Special Order No. 1 under Restaurant Maximum Price Regulation 5-10 in Pulaski County, Arkansas.

Sec. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulations No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Arkansas Order No. 1 under Restaurant Maximum Price Regulations No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 5681.)

Issued at Little Rock, Arkansas, this first day of July 1944.

ROBERT P. HALL,
District Director.

APPENDIX A²

TABLE 1

If you operate a dining room, restaurant or hotel coffee shop, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.
4. Toast.
5. Donuts.
6. Sweet roll.
7. Apple pie.
8. Dry cereal with milk.
9. Cooked cereal with milk.
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham, bacon or sausage, two eggs, toast and coffee.
13. Hot cakes (three).
14. Hot cakes—stripped with ham, bacon or sausage.
15. Home-made vegetable soup.
16. Chili mac.
17. Chili.
18. Ham sandwich.
19. American cheese sandwich.
20. Hamburger sandwich.
21. Chicken salad sandwich.
22. Bacon and tomato sandwich.

² If your specific type of establishment is not listed above, choose the table most applicable to your establishment.

23. Hot beef or pork sandwich with potatoes and gravy.
24. Coffee.
25. Tea.
26. Milk.
27. Small steak.
28. Pork chops (2).
29. Lamb chops (2).
30. Roast pork or roast beef.
31. Hamburger steak.
32. Liver and onions.
33. Baked chicken.
34. Fried chicken.
35. Roast lamb.
36. Beef stew.
37. Noon luncheon (most popular) (5 courses).
38. Noon luncheon (next most popular) (5 courses).
39. Evening dinner (most popular) (5 courses).
40. Evening dinner (next most popular) (5 courses).

¹ Fill in what you serve with items 27 through 36.

TABLE II

If you operate a cafeteria, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Potato salad.
2. Combination salad.
3. Gelatin salad.
4. Fish, whiting.
5. Croquettes.
6. Pot roast of beef.
7. Roast pork.
8. Meat loaf.
9. Meat balls with spaghetti.
10. Roast lamb.
11. Liver.
12. Pork chops.
13. Beef stew.
14. Mashed potatoes.
15. Buttered carrots.
16. Cabbage.
17. Greens.
18. Buttered beets.
19. Peas.
20. Chili mac.
21. Corn.
22. Sweet potatoes.
23. Green beans.
24. Dry beans.
25. Fruit pie.
26. Cake.
27. Ice cream (dish).
28. Donuts.
29. Jello.
30. Tea—hot.
31. Coffee—iced.
32. Coffee—hot.
33. Iced tea.
34. Milk.
35. Buttermilk.
36. White or wholewheat bread (per slice).
37. Corn sticks.
38. Roll.
39. Home-made vegetable soup.
40. Chili.

TABLE III

If you operate a night club or sandwich place, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice appetizers (except alcoholic).
4. Shrimp cocktail.
5. Oyster cocktail.
6. Fruit cocktail.
7. Apple pie.
8. Soup (home-made).
9. Soup (canned).
10. Chili.

11. ¹ Roast beef.
12. ¹ Hamburger steak.
13. ¹ Liver and onions.
14. ¹ Roast chicken.
15. ¹ Fried chicken.
16. ¹ Tenderloin of trout.
17. ¹ Fried oysters (½ doz.)
18. Ham sandwich.
19. American cheese sandwich.
20. Barbecue beef sandwich.
21. Barbecue ham sandwich.
22. Chicken salad sandwich.
23. Ham and cheese sandwich.
24. Bacon and tomato sandwich.
25. Hot beef sandwich with potatoes.
26. Hot pork sandwich.
27. Hot steak sandwich.
28. ¹ T-bone steak.
29. ¹ Sirloin steak.
30. ¹ Club steak.
31. ¹ Pork chops (2).
32. ¹ Lamb chops (2).
33. ¹ Trout.
34. Coffee.
35. Tea.
36. Milk.
37. Noon luncheon (most popular) (5 courses).
38. Noon luncheon (next most popular) (5 courses).
39. Evening dinner (most popular) (5 courses).
40. Evening dinner (next most popular) (5 courses).

¹ Fill in what you serve with items 11 through 17 and 28 through 33.

TABLE IV

If you operate a soda fountain or similar establishment, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Malted milk.
2. Milk shake.
3. Sundae.
4. Ice cream soda.
5. Ice cream (dish).
6. Chocolate milk.
7. Milk chocolate.
8. Limeade (large).
9. Banana split.
10. Chicken salad sandwich.
11. American cheese sandwich.
12. Ham and cheese sandwich.
13. Ham salad sandwich.
14. Ham sandwich.
15. Sliced chicken sandwich.
16. Bacon and tomato sandwich.
17. Pimiento cheese sandwich.
18. Hot beef sandwich with potatoes.
19. Hot pork sandwich.
20. Hot steak sandwich.
21. Orange juice.
22. Grapefruit juice.
23. Tomato juice appetizers (except alcoholic).
24. Sweet rolls.
25. Donuts.
26. Dry cereals with milk.
27. Toast.
28. Apple pie.
29. Canned soup.
30. Chili.
31. ¹ Roast beef.
32. ¹ Hamburger steak.
33. ¹ Creamed chicken.
34. ¹ Fried chicken.
35. ¹ Club steak.
36. ¹ Pork chops (2).
37. ¹ Lamb chops (2).
38. Coffee.
39. Iced tea.
40. Milk.

¹ Fill in what you serve with items 81 through 87.

[F. R. Doc. 44-12011; Filed, August 11, 1944;
8:22 a.m.]

[Lubbock Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN LUBBOCK, TEX., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Lubbock, Texas, District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all of the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be

replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical Applicability. The provisions of this order extend to all eating and drinking establishments located within the Lubbock, Texas, district of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Lubbock, Texas District Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

HOWARD R. Gholson,
District Director.

APPENDIX A

Fruit and vegetable juices:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Pie, donuts, etc.:

4. Buttered toast.
5. Donuts.
6. Sweet roll.
7. Pie.

Breakfast items:

8. Dry cereal with cream.
9. Cooked cereal with cream.
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, 1 egg, toast and coffee.
12. Ham, bacon or sausage, 2 eggs, toast and coffee.
13. Hot cakes (3).
14. Waffle.

Soup, etc.:

15. Soup (homemade).
16. Soup (canned).
17. Chili.

Luncheon and dinner items à la carte (indicate items included):

18. Roast beef.
19. Hamburger steak.
20. Liver and onions or bacon.
21. Creamed chicken.
22. Fried chicken.
23. Tenderloin of trout.
24. Roast pork.
25. Chicken fried steak.

Noon luncheon—described below—two most popular luncheons:

26. Soup or appetizer, salad, entree, number of vegetables, drink, dessert.
27.

Evening dinner—described below—two most popular:

28.
29.

Sandwiches:
 30. Ham.
 31. American cheese.
 32. Hamburger.
 33. Chicken salad.
 34. Bacon and tomato.
 35. Hot beef with potatoes and gravy.

Drinks:

36. Coffee (hot).
37. Milk.

Steaks (indicate items included):
 38. T-Bone.
 39. Sirloin steaks.
 40. Pork chops.

[F. R. Doc. 44-12012; Filed, August 11, 1944;
9:27 a. m.]

[Fargo-Moorhead Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN FARGO-MOORHEAD DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Fargo-Moorhead District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List à la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must

make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Fargo-Moorhead District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

HAROLD W. BANGERT,
District Director.

APPENDIX A—LIST OF BASIC FOOD ITEMS, MEALS, AND BEVERAGES

1. Coffee.
2. Milk.
3. Orange juice.
4. Tomato juice.
5. Cereal, hot or cold.
6. Two eggs, any style.
7. Toast.
8. Sweet roll or doughnuts.
9. Wheat cakes.
10. Bacon.
11. Club breakfast consisting of: 1 egg, bacon, toast and coffee.
12. Hamburger steak.
13. Pork chops.
14. Plate lunch.
15. Beef stew luncheon.
16. Meat loaf luncheon.
17. Dinner soup.

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18. Pot roast of beef dinner.
 19. Roast pork dinner.
 20. Baked ham dinner.
 21. Liver and bacon dinner.
 22. Roast chicken dinner.
 23. Steak dinner.
 24. Fish dinner.
 25. Barbecued ribs.
 26. Apple pie.
 27. Vanilla ice cream or sherbet.
 28. Cake.
 29. Plain soda.
 30. Ice cream soda.
 31. Ice cream sundae.
 32. Malted milk.
 33. Cold ham sandwich.
 34. Cheese sandwich.
 35. Peanut butter sandwich.
 36. Cold roast beef or pork sandwich.
 37. Hot roast beef or pork sandwich with potatoes and gravy.
 38. Fried egg sandwich.
 39. Denver sandwich.
 40. Hamburger sandwich.

[F. R. Doc. 44-12016; Filed, August 11, 1944; 9:20 a. m.]

[Moline Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MOLINE, ILL., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Moline, Illinois District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each item.

(d) List the a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the Prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep his copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Moline, Illinois District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

SEC. 6. Appendix A. If you operate an eating or drinking establishment, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices for each.

FOOD ITEM OR MEAL

1. Coffee.
2. Milk.
3. Tomato juice.
4. Orange juice.
5. Cornflakes.
6. Oatmeal.
7. Two eggs any style.
8. One egg with bacon.
9. Toast.
10. Wheatcakes.
11. Waffles.
12. Vegetable soup.
13. Tomato soup.
14. Veal chops.
15. Pork chops.
16. Beef stew.
17. Meat pie.
18. Peas.
19. Vegetable plate.
20. Combination salad.
21. Chicken salad plate.
22. Cake.
23. Apple pie.
24. Cream pie.

25. Ice cream.
26. Sherbets.
27. Rice pudding.
28. Ham sandwich.
29. Cheese sandwich.
30. Hamburger sandwich.
31. Hot roast beef sandwich.
32. Chop suey.
33. Chicken chow mein.
34. Fried chicken dinner.
35. Chicken pie.
36. Roast leg of lamb dinner.
37. Pot roast dinner.
38. Beef tenderloin steak.
39. Catfish dinner.
40. Trout dinner.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ROBERT M. HARPER,
District Director.

[F. R. Doc. 44-12015; Filed, August 11, 1944; 9:26 a. m.]

[Peoria Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN PEORIA, ILL., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Peoria District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 15, 1944 show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the

poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Peoria District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JAS. A. CARRUTHERS,
District Director.

APPENDIX A—LIST OF 40 BASIC FOOD ITEMS

1. Vegetable and fruit juices.
2. Fruit or sea food cocktail.
3. Cereals.
4. Eggs (any style).
5. Bread, rolls, muffins, doughnuts, toast, or related items.
6. Griddle cakes and waffles.
7. Soups and consommes.
8. Liver and bacon.
9. Chops.

10. Ham.
11. Roast pork.
12. Swiss steak.
13. Veal cutlets.
14. Stews and goulash.
15. Hamburger steak.
16. Meat loaf.
17. Hash.
18. Poultry.
19. Spare ribs.
20. Hot meat sandwiches.
21. Fish.
22. Ham sandwiches.
23. Hamburger sandwich.
24. Club sandwich.
25. Salad sandwich.
26. Lettuce and tomato sandwich.
27. Ham or bacon and egg sandwich.
28. Egg sandwich.
29. Cheese sandwich.
30. Combination vegetable salad.
31. Chicken salad.
32. Fruit salad.
33. Gelatine salad.
34. Pies, cake, or puddings.
35. Ice cream.
36. Coffee.
37. Milk.
38. Club breakfast.
39. Vegetable plate.
40. Course dinner.

[F. R. Doc. 44-12017; Filed, August 11, 1944;
9:21 a. m.]

[New Mexico Order 1 Under Restaurant
MPR 2]

POSTING REQUIREMENTS IN NEW MEXICO

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the New Mexico District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the

poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the New Mexico District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JOHN D. BINGAMAN,
District Director.

APPENDIX A—FORTY BASIC ITEMS

- Appetizer:
- Juices (tomato or fruit).
- Soup:
- Vegetable.
- Tomato.
- Salads:
- Combination.
- Fruit.

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Meat entrees:
 Pork chop.
 Hamburger steak.
 Roast beef.
 Roast pork.
 Meat stews.
 Veal cutlet.
 Fried chicken.
 Chicken a la king.
 Poultry pies.
 Hot beef or pork sandwiches.

Fish entrees:
 Halibut.
 Salmon.
 Egg dishes:
 Ham or bacon and eggs.

Sandwiches:
 Ham.
 Ham and egg (or bacon and egg).
 American cheese.
 Bacon and tomato.
 Cold beef or cold pork.
 Hamburger.
 Denver.
 Cold sliced chicken.
 Miscellaneous:
 Hot cakes and syrup.
 Spaghetti.
 Vegetable plate.
 Chili.

Desserts:
 Pies (specify various kinds).
 Ice cream.
 Layer cake.
 Gelatine dessert.
 Beverages:
 Coffee (cup or pot).
 Tea (cup or pot).
 Milk (half pint).

Meals:
 Club breakfast: fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast and coffee.
 Merchants luncheon: meat, fish, or omelet entrees.
 Complete dinner: meat, poultry or fish entrees.

[F. R. Doc. 44-12007; Filed, August 11, 1944;
 9:23 a. m.]

[Wyoming Order G-1 Under Restaurant
 MPR 2]

POSTING REQUIREMENTS IN WYOMING

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Wyoming District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling prices for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filed out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Wyoming District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Wyoming District Order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

H. D. WATENPAUGH,
 District Director.

APPENDIX A—40 BASIC ITEMS OF FOOD AND DRINK

Appetizer:
 Juices (tomato or fruit).

Soup:
 Vegetable.
 Tomato.

Salads:
 Combination.
 Fruit.

Meat entrees:
 Pork chop.
 Hamburger steak.
 Roast beef.
 Roast pork.
 Roast turkey.
 Meat stews.
 Veal cutlet.
 Small steak.
 ½ fried chicken.
 Hot poultry sandwiches.
 Hot meat sandwiches.

Fish entrees:
 Halibut.
 Salmon.
 ½ doz. fried oysters.

Egg dishes:
 Two eggs, any style.
 Ham or bacon and eggs.

Sandwiches:
 Ham.
 Ham and egg (or bacon and egg).
 Tomato and bacon on toast.
 Cold pork or beef.
 Hamburger.
 Frankfurter.
 Denver.

Miscellaneous:
 Hot cakes and syrup.
 Spaghetti.
 Chili.
 Cereals—hot or cold.

Desserts:
 Fruit pies.
 Ice cream.
 Puddings (including custard and jello).
 Beverages:
 Coffee (cup or pot).
 Tea (cup or pot).
 Milk (half pint).

Meals:
 Club breakfast—Fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast and coffee.
 Luncheon (3 courses)—Roast beef entree.
 Dinner (5 courses)—Small steak entree.

[F. R. Doc. 44-12008; Filed, August 11, 1944;
 9:22 a. m.]

[Seattle Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SEATTLE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix

A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many others items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may require extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Seattle District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved

by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July, 1944.

ARTHUR J. KRAUSS,
District Director.

APPENDIX A

1. Coffee.
2. Milk.
3. Tomato juice (specify size).
4. Dry cereals with cream.
5. Hot cereals with cream.
6. Two eggs (fried, boiled, or scrambled) (specify items served).
7. Ham and eggs (specify items included).
8. Hot cakes with syrup (specify if coffee is included).
9. Toast—dry or buttered.
10. Doughnuts.
11. Cold boiled ham sandwich.
12. Hot beef sandwich including potatoes and gravy.
13. Hamburger sandwich (standard).
14. American cheese sandwich.
15. Cold beef or pork sandwich.
16. Chili con carne (large serving).
17. Clam chowder.
18. Soup of the day.
19. Canned soup.
20. Oyster stew.
21. Combination vegetable salad (full order).
22. Combination fruit salad (full order).
23. Apple pie (specify size cut).
24. Ice cream.
25. Rice pudding.
26. Salmon steak (specify items included).
27. Liver and bacon (specify items included).
28. Hamburger steak (specify items included).
29. Pork chow mein.
30. Pork chop suey.
31. Two pork chops (specify items included).
32. Vegetable plate.
33. Roast turkey dinner (specify items included).
34. Fried chicken dinner (specify items included).
35. Low priced club breakfast (specify entrees and items included).
36. Medium priced club breakfast (specify entrees and items included).
37. Low priced plate lunch or merchants lunch (specify entrees and items included).
38. Medium priced plate lunch or merchants lunch (specify entrees and items included).
39. Low priced special dinner (specify items included).
40. Medium priced special dinner (specify items included).

[F. R. Doc. 44-12013: Filed, August 11, 1944;
9:26 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-930, 70-934]

NIAGARA HUDSON POWER CORP., ET AL. NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August 1944.

In the matters of Niagara Hudson Power Corporation, New York Power and

Light Corporation, Hudson Valley Fuel Corporation, File No. 70-930 and New York Power and Light Corporation, Niagara Hudson Power Corporation, File No. 70-934.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Niagara Hudson Power Corporation (Niagara Hudson), a subsidiary of The United Corporation, a registered holding company, and by New York Power and Light Corporation (New York Power) and Hudson Valley Fuel Corporation (Hudson Valley), both of the latter being subsidiaries of Niagara Hudson. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Niagara Hudson proposes to sell and New York Power proposes to purchase all of the outstanding securities of Hudson Valley, consisting of 67,000 shares of common stock (without par value). In consideration therefor, New York Power proposes to issue to Niagara Hudson 192,105 shares of its common stock having a stated value of \$7,824,436.65. Thereafter, Hudson Valley will be merged into New York Power.

New York Power proposes to refinance its outstanding 240,727 shares of Cumulative Preferred Stock (114,639 shares of the 7% series, \$100 par value, and 96,088 shares of \$6 series without par value) by making an offer to the holders of such stock whereby they will be afforded the opportunity to exchange each share of stock held at present for one share of \$100 par value Cumulative Preferred Stock, with a dividend rate not in excess of 5% per annum, plus a cash payment in an amount representing the difference between the redemption prices of the stocks outstanding at present and the offering price (to be not less than par and to be determined by competitive bidding) of the new Cumulative Preferred Stock. A total of 240,000 shares of the new stock will be issued. Any shares not exchanged will be called for redemption at the redemption price (\$115 per share for the 7% and \$105 per share for the \$6 preferred stock).

Niagara Hudson proposes to exchange its holdings of 36,019 shares of 7% Preferred Stock and 19,181 shares of \$6 Preferred Stock of New York Power pursuant to the offer of exchange and also proposes to cancel advances totaling \$20,550,000 owed to it by New York Power, providing there be obtained a closing agreement executed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury to the effect that such cancellation will not result in any income taxable to New York Power.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective nor said application be granted except pur-

FEDERAL REGISTER, Saturday, August 12, 1944

suant to further order of this Commission.

It further appearing to the Commission that the issues presented by the declaration and applications of Niagara Hudson, New York Power and Hudson Valley (File No. 70-930) and by New York Power, and Niagara Hudson (File No. 70-934) involve common questions of law and fact and should be consolidated and heard together;

It is ordered. That the proceedings in both matters be, and they hereby are, consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on August 24, 1944, at 11 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceeding shall file with the Commission, on or before August 18, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered. That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice; and

It is further ordered. That notice of the hearing aforesaid be given to the declarants and applicants and to all other persons; said notice to be given to the declarants and applicants and to the New York Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mail to the mailing list for releases issued under the act, and by publication in the **FEDERAL REGISTER**; and

It is further ordered. That, without limiting the scope of the issues presented by such declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions;

(1) Whether the proposed consideration to be received and paid in connection with the proposed sale and acquisition of the securities of Hudson Valley is reasonable and bears a fair relation to the sum invested in or the earning capacity of the assets underlying the securities to be transferred.

(2) Whether the proposed acquisition by New York Power of Hudson Valley and the subsequent merger of Hudson Valley and New York Power will serve the public interest by tending toward the economical and efficient development of an integrated public utility system or will be detrimental to carrying out the provisions of section 11.

(3) Whether the proposed issue and sale of its new Cumulative Preferred Stock by New York Power is solely for the purpose of financing its business.

(4) Whether the acquisition of new preferred stock of New York Power by Niagara Hudson will tend toward the economical and efficient development of an integrated public utility system.

(5) Whether Niagara Hudson's proposal to exchange its present holdings of the preferred stock of New York Power, on the basis of the call price thereof, for the new preferred stock to be issued by New York Power is in compliance with statutory standards.

(6) The propriety of the proposed accounting treatment of the proposed transactions on the books of the applicants and declarants.

(7) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions, and if so, what the terms and conditions should be.

(8) Generally, whether the proposed transactions are detrimental to the public interest or to the interests of investors or consumers or will tend to circumvent any provisions of the act or the rules and regulations promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-12019; Filed, August 11, 1944;
9:57 a. m.]

record on their books in respect to such transactions; and

Amendments to the declaration having been filed by Associated Electric Company and Owensboro Gas Company in regard to the accounting reorganization as to which jurisdiction was reserved; and

A further hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its supplemental findings and opinion herein:

It is hereby ordered. That the jurisdiction reserved in said order dated August 14, 1943, with respect to the accounting entries in connection with the transactions proposed, be, and hereby is, released; and

It is further ordered. That the declaration, as amended, in regard to the proposed accounting reorganization of Owensboro Gas Company, as to which jurisdiction was reserved, be and hereby is permitted to become effective forthwith, subject to the requirements of Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-12020; Filed, August 11, 1944;
9:58 a. m.]

[File No. 54-99]

CONSOLIDATED ELECTRIC AND GAS CO. AND
THE ISLANDS GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of August 1944.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and its subsidiary, The Islands Gas and Electric Company ("Islands"), all of whose securities are owned by Consolidated, have filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 relating to the distribution of the capital stock of Manila Gas Corporation ("Manila Gas"), to the holders of the \$6 cumulative preferred stock of Consolidated by way of a partial liquidation, as hereinafter more particularly described.

All interested persons are referred to said plan, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

Manila Gas, a Philippine corporation, is a gas utility company operating in Manila and other communities in the Philippine Islands. Manila Gas has outstanding \$546,000 principal amount of First Mortgage 6% 20-year bonds, due July 1, 1945, which are publicly held, and 15,000 shares of capital stock (100 pesos par value) of which 5 shares are publicly held in the Philippine Islands, and the remainder is owned by Islands. The Manila Gas stock owned by Islands is pledged with the trustee under the indenture.

ture securing the Islands 10-year 4% secured bonds, Series due March 1, 1953, of which \$2,143,500 are outstanding.

Islands proposes to sell said Manila Gas stock to Consolidated for approximately \$250,000 in cash and will deposit such cash proceeds under said indenture of Islands in connection with the release from the pledge of said stock. The funds so deposited with the trustee under the Islands indenture will be applied to the retirement of such Islands bonds, all of which are owned by Consolidated. Consolidated will then either apply said funds, or a like amount, with the trustee under the indenture securing the Southern Cities Utilities Company Bonds, (assumed by Consolidated) to acquire and retire outstanding bonds of Southern Cities Utilities Company publicly held, or in the alternative (if Consolidated desires such deposited cash for its corporate purposes), will secure the release, on the basis of credits, from the lien of the collateral trust indenture of Consolidated, of an equivalent principal amount of bonds of Southern Cities Utilities Company, and will surrender to the said trustee, such bonds for cancellation against the withdrawal of such deposited funds. If publicly held bonds are purchased, such bonds will be acquired by Consolidated in the open market or from holders thereof but without solicitation and at the lowest price obtainable, and such purchased bonds will be surrendered to the trustee for cancellation against the withdrawal of such deposited funds at bond cost, exclusive of accrued interest.

The Manila Gas stock to be purchased by Consolidated will be distributed to the holders of the \$6 cumulative preferred stock by way of a partial liquidation. Since transfer of certificates for the Manila Gas stock cannot be presently made on the company's stock transfer book, which are located in Manila, Consolidated proposes to deposit its certificates representing the Manila Gas stock with a financial institution under an agreement whereby such depository will hold such stock solely for the benefit of the preferred stockholders of Consolidated and issue to such stockholders transferable certificates of deposit entitling the holders thereof to a stock certificate or certificates for the appropriate number of shares of Manila Gas stock. It is proposed that each holder of Consolidated preferred stock will receive a certificate of deposit entitling him in respect of each share of such stock owned to 8/100 of a share of Manila Gas stock, plus a small fractional interest in the remaining Manila Gas stock.

There is pending a plan filed by Consolidated pursuant to section 11 (e) (File No. 54-40) which provides for the elimination of its outstanding preferred stock, Class A stock and common stock, and the issue of new common stock, 94.5% to the holders of the outstanding preferred and 5.5% to the holders of the outstanding Class A stock.

There is also pending before the Commission a plan filed by Consolidated pursuant to section 11 (e) (File No. 54-78) which provides for the payment in full of all outstanding debt securities of Consolidated by the delivery to the holders thereof of certain common stocks.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application and declaration shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on August 22, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in the proceedings, shall file with the Secretary of the Commission on or before August 17, 1944, his application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to Consolidated Electric and Gas Company, The Islands Gas and Electric Company, to the Trustees under the indentures securing the debt securities of The Islands Gas and Electric Company, the Southern Cities Utilities Company, and Consolidated Electric and Gas Company by registered mail; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That, without limiting the scope of the issues presented by said application and declaration, particular attention shall be directed at said hearing to the following matters and questions:

(1) Whether the proposed plan to distribute Manila Gas Corporation's common stock, to be acquired by Consolidated Electric and Gas Company, to holders of Consolidated's \$6 cumulative preferred stock (no par value) by way of partial liquidation is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to all persons affected thereby, particularly the public holders of debt securities, \$6 cumulative preferred, and Class A stocks, of Consolidated;

(2) Whether the proposed sale by Islands of the common stock of Manila Gas to Consolidated meets the requirements of sections 12 (d) and 12 (f) of the act and the rules and regulations of this Commission promulgated thereunder;

(3) Whether the proposed acquisition of the Manila Gas stock by Consolidated meets the requirements of sections 9 and 10 of the act and the rules and regula-

tions of this Commission promulgated thereunder;

(4) Whether the proposed use of the proceeds of the contemplated sale of the Manila Gas common stock and its release from the pledge under the Islands bonds, and the purchase and/or retirement of debt securities of the Consolidated system meet the requirements of section 12 (c) of the act and the rules and regulations of this Commission promulgated thereunder, and whether such purchases and/or retirement of the Consolidated debt securities are fair and equitable to the holders of said bonds and to the holders of other securities of Consolidated;

(5) Whether the accounting entries proposed to be made in connection with the proposed transactions are in accordance with sound accounting principles and are otherwise appropriate;

(6) Whether, if the proposed transactions, or any of them, are authorized, it is necessary or appropriate that terms or conditions be imposed in the public interest or for the protection of investors or consumers in connection with such authorization;

(7) Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or of any rules, regulations, or orders of this Commission promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 44-12038; Filed, August 11, 1944;
11:30 a. m.]

[File Nos. 70-618, 54-100]

AMERICAN POWER AND LIGHT CO.

NOTICE OF FILING OF APPLICATION FOR EXTENSION, ORDER OF CONSOLIDATION AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of August, A. D. 1944.

The Commission having heretofore on February 22, 1943, entered its order herein permitting to become effective a declaration filed by American Power & Light Company ("American"), a registered holding company, pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder for authority to expend not in excess of \$10,000,000 in cash over a four-month period in market purchases of part of its outstanding Gold Debenture Bonds 6% Series due 2016 and its assumed Southwestern Power & Light Company 6% Debenture Bonds Series A due 2022; and

The period in which such purchases might be made pursuant to said declaration, as filed and as subsequently modified having been extended to August 10, 1944, pursuant to authority contained in the orders of the Commission dated June 21, 1943, August 10, 1943, December 9, 1943, and April 18, 1944;

Notice is hereby given that American on July 26, 1944, filed an application herein for permission to extend the said authorization as modified for a further period to and including December 10, 1944.

All interested persons are referred to said application which is on file in the office of the Commission for full details thereof.

American having on July 13, 1944 filed an application with the Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a Plan proposing to retire at 100% of principal amount plus accrued interest American's Gold Debenture Bonds 6% Series due 2016 and the 6% Gold Debenture Bonds Series A due 2022 of Southwestern Power & Light Company assumed by American; and

The Commission having by notice and order dated July 24, 1944 directed that a hearing be held with respect to the said Plan, and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors that a hearing be held for the purpose of considering said application for extension; and

It further appearing appropriate to the Commission that the hearing with respect to said application be considered with and in relation to the section 11 (e) plan and that it be consolidated therewith for the purpose of hearing;

It is ordered. That a hearing be held on the application in connection with a hearing to be held on the section 11 (e) plan, with which it is hereby consolidated, and which has been set for August 14, 1944 before Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose. At said hearing attention will be particularly directed to the question whether it is necessary or appropriate in the public interest or for the protection of investors to permit an extension of the period within which purchases of debenture bonds may be effected, and if so, the period of such extension.

It is further ordered. That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to American and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-12037; Filed, August 11, 1944;
11:30 a. m.]

[File Nos. 7-743-1, 7-744-1, 7-745-1, 7-746-1,
7-747-1, 7-748-1]

AMERICAN & FOREIGN POWER CO. INC., ET AL.
ORDER SETTING HEARING ON APPLICATION TO
EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of August, A. D. 1944.

In the matter of application by the Philadelphia Stock Exchange to extend unlisted trading privileges to American & Foreign Power Co., Inc., \$7 Cum. 2 Pfd. Stock, Series A, 7-743-1; The Flintkote Co., Common Stock, No Par Value, 7-744-1; The Sparks-Withington Co., Common Stock, No Par Value, 7-745-1; Trans Lux Corporation Common Stock, \$1 Par Value, 7-746-1; Union Bag & Paper Corp., Capital Stock, No Par Value, 7-747-1; York Corporation, Capital Stock, \$1 Par Value, 7-748-1; Securities Exchange Act of 1934 section 12 (f) (2).

The Philadelphia Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered. That the matter be set down for hearing at 10:00 a. m. on Wednesday, August 30, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered. That William W. Swift, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-12036; Filed, August 11, 1944;
11:30 a. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

[Reg. 3]

STANDARD GENERAL-PURPOSE MACHINE TOOLS

PRICING POLICY FOR SALE BY RFC

Scope of regulation. By Regulation No. 1, Reconstruction Finance Corporation was designated as the disposal agency for surplus war property of the type generally described as capital and producers' goods. Property so assigned includes machine tools.

The purpose of this regulation is to establish a pricing policy for the sale by Reconstruction Finance Corporation of standard general-purpose machine tools

which have been used and which it has available for disposal as surplus.

The policy has been established on a fixed price basis so that prospective purchasers will be able to make current plans with reasonable certainty involving the purchase of surplus machine tools. The prices fixed are based on the original price of the machine tool at the plant of its manufacturer, depreciated over the period of its active use at rates which take into account, among other things, the usage which most such tools are undergoing in war production.

This regulation does not apply to special types of machine tools or to other production equipment.

This regulation shall become effective August 15, 1944. It is recommended that any arrangements made prior to that date for the sale of used standard general-purpose machine tools at prices differing from those set forth herein, be revised to conform to the prices herein set forth if they have not theretofore become contractually binding.

While this regulation applies only to sales of surplus machine tools, the Administration has been advised by the principal owning agencies that, in such sales of machine tools which have not been declared surplus as may be made by them, they intend to adhere to the prices herein set forth.

Definition. "Standard general-purpose machine tools" are machine tools being currently produced and are types used in civilian production; they consist of those listed in the Standard Commodity Classification, Vol. I, Major Group 34, Code Number 34 11000 to 34 19900, inclusive, with the exception of special machine tools designed for and used exclusively in the production of war material, such as:

Special gun reaming, rifling and chambering machines.

Gun boring and turning lathes.

Shell turning lathes.

Shell tappers.

Small arms ammunition machinery.

Special military tank manufacturing machine tools.

Special aircraft manufacturing machine tools.

Special shipbuilding machine tools.

Other special war production machine tools.

Price policy. All sales of used standard general-purpose machine tools, which have been declared surplus to Reconstruction Finance Corporation as disposal agency, shall be made at prices computed as follows: *Provided*, That all sales shall be made in conformity with all applicable War Production Board and Office of Price Administration regulations:

(1) The original price of the manufacturer of the machine tool, inclusive of electrical equipment and standard accessories shall be computed f. o. b. the plant of such manufacturer. If special tooling is to be sold with the machine tool, its original price shall be included, on the same basis.

(2) The period of active use of the machine tool shall be computed on the basis of the best information reasonably available. This period shall run from the estimated date the machine tool was

originally put in use to the date of sale, if the machine tool is then still in use. If the machine tool is not in use at the time of sale, the period shall run to the estimated date when the machine tool became idle.

(3) The price computed pursuant to paragraph (1) above shall be used as a base. The price at which the machine tool shall be offered for sale shall be computed by applying to that base the percentage appearing in Exhibit I to this regulation opposite the period of active use of the machine tool computed pursuant to paragraph (2) above. The percentage appearing in column B of Exhibit I shall be applied where the buyer is the person who is using the machine tool at the time of sale or, if the machine tool is then idle, the person who last used it, and the percentage appearing in column A shall be applied where the sale is to any other buyer.

(4) The price computed pursuant to paragraph (3) above shall be the sale price f. o. b. cars or trucks at the location of the machine tool at the time of sale.

W. L. CLAYTON,
Administrator.

AUGUST 9, 1944.

EXHIBIT I

Period of active use	A	B
	Percent	Percent
Less than 1 month.....	85.0	90.0
1 month.....	82.5	87.5
2 months.....	80.0	85.0
3 months.....	77.5	82.5
4 months.....	75.0	80.0
5 months.....	72.5	77.5
6 months.....	70.0	75.0
7 months.....	69.0	74.0
8 months.....	68.0	73.0
9 months.....	67.0	72.0
10 months.....	66.0	71.0
11 months.....	65.2	70.2
12 months.....	64.4	69.4
13 months.....	63.6	68.6
14 months.....	62.8	67.8
15 months.....	62.0	67.0
16 months.....	61.2	66.2
17 months.....	60.4	65.4
18 months.....	59.6	64.6
19 months.....	58.8	63.8
20 months.....	58.0	63.0
21 months.....	57.2	62.2
22 months.....	56.4	61.4
23 months.....	55.6	60.6
24 months.....	54.8	59.8
25 months.....	54.0	59.0
26 months.....	53.2	58.2
27 months.....	52.4	57.4
28 months.....	51.6	56.6
29 months.....	50.8	55.8
30 months.....	50.0	55.0
31 months.....	49.2	54.2
32 months.....	48.4	53.4
33 months.....	47.6	52.6
34 months.....	46.8	51.8
35 months.....	46.0	51.0
36 months or more.....	45.2	50.2

[F. R. Doc. 44-12018; Filed, August 11, 1944;
9:50 a. m.]

UNITED STATES COAST GUARD

SUSPENSION OF APPROVALS OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 154 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the suspension of approvals of all types of adult kapok life pre-

servers is prescribed, effective November 1, 1944:

ADULT KAPOK LIFE PRESERVERS

Effective on and after November 1, 1944 and to continue for the duration of the National Emergency, the approvals of all types of adult kapok life preservers which are used on ocean and coastwise Merchant vessels are suspended, except for Models 1, 2, and 3 complying with Coast Guard Merchant Marine Inspection Drawing No. F-49-6-1 and specification dated 10 June, 1944: *Provided*, That these suspensions of approvals shall not affect any approved life preservers manufactured prior to such date, which approved life preservers are hereby authorized to be used on board merchant vessels so long as they are suitable and in good condition.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

AUGUST 5, 1944.

[F. R. Doc. 44-12034; Filed, August 11, 1944;
10:35 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

FLUID MILK

OFFER TO MAKE PAYMENTS IN FORT WAYNE,
IND., MARKETING AREA

Offer of the Commodity Credit Corporation to make fluid milk payments in the Fort Wayne, Indiana, marketing area during the period August 1944 through June 1945.

Whereas, the Director of Economic Stabilization and the War Food Administrator of the United States have approved a Fluid Milk Payment Program for the purpose of insuring, in accordance with Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943, the maximum necessary production and distribution of fluid milk and the maintenance of price ceilings with respect to such milk.

Now, therefore, Commodity Credit Corporation (hereinafter referred to as "Commodity"), a corporate agency of the United States, hereby offers, subject to the terms and conditions herein specified, to make payments to handlers on fluid milk disposed of by such handlers in the Fort Wayne, Indiana, marketing area.

1. Commodity will make a payment to each handler in the Fort Wayne, Indiana, marketing area, regardless of whether or not such handler purchases milk from producers, on Class I milk disposed of by such handler, as determined by Commodity or its designated agent, from August 1, 1944, through June 30, 1945, except, as determined by Commodity or its designated agent, (a) any such milk sold by such handler to another handler, (b) any such milk disposed of by such handler for use by the armed forces of the United States, (c) any such milk of such handler's own production, and (d) any such milk which is emergency

milk. The rate of payment per hundred-weight of milk shall be, in any calendar month computed as follows: From the Class I price determined for such month pursuant to Order No. 32 subtract \$3.57.

2. Settlement hereunder shall be made on a monthly basis upon the presentation, within 90 days after the end of the calendar month for which payments are claimed, to, and approval by, Commodity, or such agent as it may designate, of a claim for payments, supported by a written statement by such handler, made under oath before a notary public or other official authorized by law to administer oaths, that (a) resale prices charged by him for milk for fluid consumption sold during the month for which payments are claimed did not exceed the resale price applicable to such sales pursuant to maximum price regulations of the Office of Price Administration, and (b) he has paid producers for all milk which he received from such producers during such month as required by Order No. 32. The documents presented pursuant to this section shall be in such form and contain such certification as Commodity may prescribe.

3. The performance by the handler of the terms and conditions set forth in this offer together with the submission to Commodity of a claim for payments by the handler, pursuant to this offer, shall constitute an acceptance of this offer for the month for which payments are claimed.

4. Each handler who files a claim for payments shall have accurate and complete books, records, and accounts with respect to his production, receipts, utilization, and sales of milk, and with respect to his sales receipts, costs of products, and operating costs, and shall keep such other books, records, and accounts and submit such reports as Commodity may require. Such books, records, and accounts shall be available for inspection by Commodity or its designated agent at any reasonable time.

5. This offer may be partially or wholly revoked or modified by publication of a notice thereof in the FEDERAL REGISTER by Commodity at any time, but, notwithstanding any such revocation or modification, settlement shall be made as provided in section 2 hereof with respect to any milk disposed of pursuant to the terms and conditions hereof prior to such revocation or modification.

6. Any handler with whom settlement is made pursuant to section 2 of this offer shall, by accepting such settlement, be deemed to have authorized the market administrator to deduct from any payments thereafter due to such handler under Order No. 32 and to pay to Commodity any amount which may be due Commodity by reason of the payment to the handler hereunder or under any similar offer of any amount determined by Commodity to have erroneously or improperly been paid to the handler.

7. Definitions. (a) The term "Order No. 32", as used herein, shall mean the order, as amended, issued by the War Food Administrator, regulating the handling of milk in the Fort Wayne, Indiana, marketing area.

FEDERAL REGISTER, Saturday, August 12, 1944

(b) The terms "Fort Wayne, Indiana, marketing area," "Class I milk," and "emergency milk," as used herein, shall have the same meaning as is given such terms by Order No. 32.

(c) The term "handler," as used herein, shall have the same meaning as is given such term by Order No. 32, except that no person shall be deemed to be a handler within the meaning of this offer if (i) he has been determined by the Director of Distribution of the War Food Administration not to be fully in compliance with Order No. 32 insofar as it relates to prices payable to producers, or (ii) he has been determined by Commodity to have charged for milk for fluid consumption resale prices higher than the maximum prices applicable to such sales pursuant to the maximum price regulations of the Office of Price Administration during the month for which payments are claimed pursuant to this offer.

Dated: August 10, 1944.

LEE MARSHALL,
Vice President.

[F. R. Doc. 44-11988; Filed, August 10, 1944;
3:11 p.m.]

WAR PRODUCTION BOARD.

SAMAR CONSTRUCTION COMPANY

CONSENT ORDER

Samuel Aronowitz, doing business under the trade name of Samar Construction Company at 570 Seventh Avenue in

the City, County, and State of New York, engaged in the business of a general building contractor, is charged by the War Production Board with having, between February 15 and April 18, 1944, engaged in the construction of a restaurant known as Walton Cafeteria, Inc., at 2555 Broadway in the Borough of Bronx, City of New York, at a cost of \$5,055.71 of which \$2,837.46 was the cost of new construction, \$2,104.61 was the cost of maintenance and repairs and \$113.64 was the cost of fixtures. The work contracted for, engaged in, supervised and completed by the general contractor, Samuel Aronowitz, was done without authorization from the War Production Board in violation of Conservation Order L-41 which placed a limit of \$1,000 on such construction. Samuel Aronowitz had knowledge of the applicable provisions of Conservation Order L-41 and his engaging in said construction must be deemed a wilful violation of the order.

Samuel Aronowitz admits the violation as charged, does not desire to contest the same and has consented to the issuance of this order. Wherefore, upon the agreement and consent of Samuel Aronowitz, doing business under the trade name of Samar Construction Company, and upon the approval of the Regional Compliance Manager, the Regional Attorney and the Compliance Commissioner, *It is hereby ordered, That:*

(a) Deliveries of material to Samuel Aronowitz, doing business under the trade name of Samar Construction Company, or otherwise, his successors or assigns, shall not be accorded priority

over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Samuel Aronowitz, doing business under the trade name of Samar Construction Company, or otherwise, his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Samuel Aronowitz, doing business under the trade name of Samar Construction Company, or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on August 10, 1944, and shall expire on November 10, 1944.

Issued this 3d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11989; Filed, August 10, 1944;
4:39 p. m.]